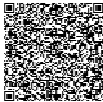


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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

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CRM-M-11243-2024 (O&M)  
Date of decision: 12.11.2024

Sidharth Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

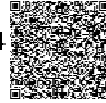
Present:- Ms. Vasundhara Dalal Anand, Advocate  
for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Cr.P.C., is for issuance of directions to respondents to file the status report on the representation dated 04.12.2023 and reminder dated 11.01.2024 (Annexures P-8 & P-9), submitted by the petitioner to respondent No. 4 and also for directing the respondents to conduct a fair and impartial investigation in FIR No. 153 dated 28.06.2023, registered under Sections 120-B, 420, 465, 467, 468 and 471 of IPC at Police Station Industrial, Sector 7, Manesar, District Gurugram.
2. In compliance with order dated 14.05.2024, fresh reply has been filed by the respondent-State. It is submitted therein and learned State

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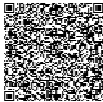


counsel has argued that the investigation in the aforesaid FIR has been conducted in a fair and impartial manner and the final report qua the petitioner has already been filed before the Court concerned. With regard to aforesaid representation of the petitioner, it is submitted that the same was duly inquired into and finding no merit, the same was filed on 19.03.2024. In view thereof, learned State counsel has prayed for dismissal of the petition.

3. Learned counsel for the petitioner could not dispute the aforesaid facts.

4. Since the investigation has already been completed and final report qua the petitioner has been presented before the Court and the representation of the petitioner has been filed by the respondents finding no merit in the same, no case has been made out to issue any direction to the respondents. More so, if the petitioner is aggrieved that the proper investigation was not done properly or in an impartial manner, the remedy available to him is not to approach the High Court but to go to the Magistrate concerned under Section 156 (3) of Cr.P.C. Reference in this regard can be made to *Sakiri Vasu v. State of U.P., (2008) 2 SCC 409*. Reliance can further be placed upon *Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage and others, (2016) 6 SCC 277*, wherein it was observed by Hon'ble Supreme Court that if proper investigation is not being done by the police then the remedy for the aggrieved person is not to come to High Court but to approach the Magistrate concerned under Section 156 (3) of

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Cr.P.C. as it is the Magistrate who can give direction for registration of FIR and even to conduct proper investigation to be done.

5. In view of the above position, the present petition is devoid of any merit and the same is hereby dismissed, without having any prejudice to the right of the petitioner.

12.11.2024  
*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*