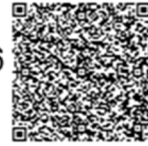


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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

284

CRM-M-2386-2024 (O&M)

Date of decision: 09.09.2025

Barjinder Singh**...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. P. S. Jammu, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. J. S. Gill, Advocate
for respondent No. 4.

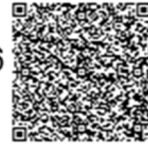
Mr. D. S. Virk, Advocate
for respondent No. 5.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Cr.P.C., is for issuing direction to respondent No. 2 to register an FIR under appropriate provisions against the respondents No. 4 and 5 and to investigate the same by a gazetted officer.

2. Brief facts of the case as emanating from the petition are that the petitioner has got registered an FIR bearing No. 410 dated 16.06.2022, under Sections 406 and 420 of IPC at Police Station Civil Lines, Sirsa against one Harinder Dass on the allegations that he had duped him of Rs. 5 Lakhs on the pretext of providing a job to him in Punjab Police as Sub Inspector. However, neither the job was provided nor the said amount was returned to the

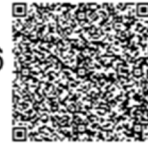
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petitioner. When after registration of aforesaid FIR, the petitioner requested respondents No. 4 and 5, who were the investigating officer of the case from time to time, to arrest the accused, they demanded illegal gratification of Rs.50,000/- from him. However, despite taking that amount from the petitioner, they did not arrest the accused and raised another demand of Rs.50,000/-, which the petitioner did not give them. The petitioner has relied upon some telephonic conversations, wherein respondents No. 4 and 5 are alleged to have raised demand of illegal gratification from him.

3. Status report has been filed by the respondent-State. Learned State counsel, assisted by learned counsel for respondents No. 4 and 5, has submitted that after registration of aforementioned FIR No. 410, multiple raids were conducted to arrest the accused Harinder Dass. In the meanwhile, an FIR bearing No. 60 dated 15.01.2023, under Sections 148, 149 and 307 of IPC and Sections 25, 27 and 30 of the Arms Act was got registered by one Kripal Singh against the present petitioner, his son Akash and other accused. The petitioner was arrested at the spot on 15.01.2023 by respondent No. 4-SI Ran Singh and due to said displeasure, the petitioner has levelled false allegations against him. It is further submitted that even otherwise, the complaint (Annexure P-2) was moved by the petitioner based on the alleged recording dated 16.06.2022, whereas respondent No. 4 had joined duties only on 18.10.2022. More so, in the alleged audio recordings, there was no mention of alleged demand of money. The petitioner had also filed an application before the Court of learned Sessions Judge, Sirsa, which had been dismissed, vide order dated 17.06.2023. Subsequently, accused Harinder Dass had been

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arrested on 11.08.2023. After completion of necessary investigation, challan in FIR No. 410 has been presented in the Court on 11.12.2023 and the trial is going on.

4. Learned State counsel has further submitted that department inquiry was conducted on the complaint of the petitioner submitted against respondent No. 4 but no incriminating evidence had surfaced against him. So far as respondent No. 5 is concerned, after constitution of Dabwali as Police District, the inquiry against respondent No. 5 has been transferred to Police District Dabwal, which is still pending. It is, thus, argued that necessary action in the aforesaid FIR as well as on the complaint filed by the petitioner has already been taken and no further action is called for.

5. Learned counsel for the petitioner could not dispute the factual assertions.

6. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.

7. As mentioned above, accused Harinder Dass had been arrested and he is now facing trial. The petitioner has nowhere stated in his petition that aforementioned FIR No. 60 had been registered against him and he was arrested by respondent No. 4. He has concealed the said fact. Even otherwise, appropriate action has already been taken by the police in the FIR as well as on the complaint submitted by the petitioner. Hence, no case is made out to issue any directions to the official respondents. More so, the prayer of the petitioner for registering an FIR against respondents No. 4 and 5 cannot be entertained as the remedy for a person having grievance that his FIR has not

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been registered by the police or the same having been registered, proper investigation is not being done, is not to approach the High Court but to go to the Magistrate concerned under Section 175(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (*which is pari materia with 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***. In view of the above position, no further action is called for in the present petition and the same is disposed of accordingly.

8. However, the petitioner is granted liberty to avail his alternative remedy in accordance with law, if so advised.

09.09.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>