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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision: 13.01.2025

Rakesh Singh

...Petitioner

V/s

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. J.S. Bajwa, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG Haryana.

SUMEET GOEL, J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. of 1973 seeking issuance of direction to respondent Nos.2 to 4 to decide the representation dated 07.07.2023 (Annexure P-1).

2. Learned counsel for the petitioner has iterated that for the grievance raised in the instant petition, the petitioner has made a representation dated 07.07.2023 (Annexure P-1) to respondent No.2 for taking appropriate legal action but the same has not been taken which necessitated the petitioner to approach this Court.

3. Learned State counsel has raised tandem with the reply/status report dated 30.09.2023. The relevant whereof reads as under:

“10. That from the above fact s, it was revealed that the petitioner has submitted the complaints time and again since 2017 to the different officers by stating that his wife Neelam and daughter Akshita are under mental pressure. As mentioned above, the officers of Haryana State Women Commission have also tried to make efforts for the examination of Neelam and Akshita and both of them have also got registered case against the petitioner Rakesh Singh which have been mentioned in para



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No.4 above. Moreover, one matter of divorce and domestic violence is also pending in the Ld. Court between the parties.

11. That it also came forth that the complainant has given the; present representation for providing police protection for the examination of Neelam and Akshita. In this regard, it is submitted that if any request is received from any authorized/recognized medical officer and Specialist, the police protection will be made available as per rules and regulations.

12. That in view of the above averments, the SHO P.S. Sadar, Gurugram recommended to file the representation dated 07.07.2023 (Annexure P-1) made by the petitioner.

13. That as mentioned hereinabove, the representation dated 07.07.2023 of the petitioner has been decided and therefore the present petition filed by the petitioner deserves to be dismissed.”

4. At this stage, Mr. Aditya Jain, Advocate has entered appearance on behalf of respondent Nos.5 and 6 and has filed his memorandum of appearance, which is taken on record.

5. I have heard learned counsel for the rival parties and have perused the paper-book.

6. The petitioner, in the present case, has invoked the inherent jurisdiction of this Court under Section 482 of Cr.P.C., 1973 without even referring to, much less disclosing any impediment being faced by him in approaching the concerned Illaqa/Jurisdictional Magistrate by invoking Section 175 of BNSS, 2023/Section 156(3) of Cr.P.C. In the considered opinion of this Court, the petitioner ought to have approached the concerned Illaqa/Jurisdictional Magistrate in the first instance who is well empowered to grant the substantial relief(s) sought for in the present petition. No such accentuating facts/circumstances have been brought forward by the petitioner which may warrant interference by this Court under Section 482 of Cr.P.C, 1973. In the absence of such justification, this Court finds no

reason to entertain the present petition as a fit case for the exercise of its



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inherent jurisdiction under Section 482 Cr.P.C. of 1973/528 of BNSS, 2023.
Accordingly, the present petition is devoid of any merit and the same is hereby dismissed.

7. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

January 13, 2025
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No