



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-22705-2026 (O&M)

Date of decision: 24.04.2026

SEEMA RANI

PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

RESPONDENTS

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Rishav Jain, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG Punjab.

Shalini Singh Nagpal, J. (ORAL)

1. The petition under Section 528 of Bharatiya Nagarik Suraksha
Sanhita (B.N.S.S.), 2023 seeks following reliefs:

- i) Registration of FIR against respondents No.4 to 7 for assaulting, demanding dowry, giving death threats etc.
- ii) Direction to respondent Nos.2 and 3 to expedite investigation proceedings against respondents No.4 to 7.
- iii) Direction to respondents No.2 and 3 to ensure security of life, liberty and property of the petitioner and her other family members including mother and brother, from respondents No.4 to 7.
- iv) Direction to respondent No.2 to decide representation dated 12.09.2025 and taking appropriate legal action against respondents No.4 to 7; to decide application/complaint dated 01.11.2025 for transferring the inquiry from Police Station Sadar Rajpura to any competent authority for proper and fair investigation; representation dated 28.11.2025 sent to Chairman Human Rights Commission, Punjab for taking appropriate legal action against respondents No.4 to 7.



- v) Direction to the official respondents to decide representation dated 27.01.2026 at the earliest.

2. Learned counsel for the petitioner submits that petitioner was married with respondent No.4 on 10.10.2011. Disputes arose between the parties and petitioner got FIR No.21 dated 23.04.2015 under Sections 406, 498-A IPC, Police Station Women Cell, Patiala, registered against the private respondents. A compromise was reached between the parties and the FIR was quashed by this Court on 02.09.2024. The parties obtained divorce by mutual consent. Petitioner and respondent No.4 both performed second marriage. After second husband of the petitioner expired and respondent No.4 also divorced his second wife, petitioner remarried respondent No.4 on 27.03.2025. Mother-in-law of the petitioner lodged FIR No.122 dated 30.10.2025 under Sections 115(2), 127(7), 75, 351(2), 191(3) and 190 of Bharatiya Nyaya Sanhita (B.N.S.), 2023 against petitioner, her mother and brother, wherein police had recommended cancellation report. After the marriage in 2025, private respondents again started demanding dowry from the petitioner and her family members and brutally assaulted her. In this regard, various complaints were moved by the petitioner but no action was taken thereon. It is prayed that respondent No.2 be directed to take appropriate legal action on the complaints of the petitioner.

3. Notice of motion to official respondents only.

4. Learned State counsel, on instructions from Deputy Superintendent of Police, Circle Rajpura submits that various complaints and representations were moved by the petitioner on 12.09.2025, 31.12.2025, 12.01.2026 and 29.01.2026. Inquiry was conducted in the complaints and finding no merit therein, the complaints were consigned.



5. In **Sakiri Vasu vs. State of U.P. and others, (2008) 2 SCC 409,**

Hon'ble Supreme Court observed as under:-

“11. In this connection we would like to state that if a person has a grievance that the police station is not registering his FIR under [Section 154](#) Cr.P.C., then he can approach the Superintendent of Police under [Section 154\(3\)](#) Cr.P.C. by an application in writing. Even if that does not yield any satisfactory result in the sense that either the FIR is still not registered, or that even after registering it no proper investigation is held, it is open to the aggrieved person to file an application under [Section 156 \(3\)](#) Cr.P.C. before the learned Magistrate concerned. If such an application under [Section 156 \(3\)](#) is filed before the Magistrate, the Magistrate can direct the FIR to be registered and also can direct a proper investigation to be made, in a case where, according to the aggrieved person, no proper investigation was made. The Magistrate can also under the same provision monitor the investigation to ensure a proper investigation.

6. In **Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage and others, (2016) 6 SCC 277,** Hon'ble Supreme Court observed as under:-

“2. This Court has held in Sakiri Vasu v. State of U.P., that if a person has a grievance that his FIR has not been registered by the police, or having been registered, proper investigation is not being done, then the remedy of the aggrieved person is not to go to the High Court under Article 226 of the Constitution of India, but to approach the Magistrate concerned under Section 156(3) Cr.P.C. If such an application under Section 156(3) Cr.P.C is made and the Magistrate is, prima facie, satisfied, he can direct the FIR to be registered, or if it has already been registered, he can direct proper investigation to be done which includes in his discretion, if he deems it necessary, recommending change of the investigating officer, so that a proper investigation is done in the matter. We have said this in Sakiri Vasu case because what we have found in this country is that the High Courts have been flooded with writ petitions praying for registration of the first information report or praying for a proper investigation.



3. We are of the opinion that if the High Courts entertain such writ petitions, then they will be flooded with such writ petitions and will not be able to do any other work except dealing with such writ petitions.

Hence, we have held that the complainant must avail of his alternate remedy to approach the Magistrate concerned under Section 156(3) CrPC and if he does so, the Magistrate will ensure, if prima facie he is satisfied, registration of the first information report and also ensure a proper investigation in the matter, and he can also monitor the investigation.”

6. Similar were observations of Hon’ble Supreme Court in ***M. Subramaniam Vs. S. Janaki 2020 SCC OnLine SC 341.***

7. Section 156(3) Cr.P.C. (now Section 175(3) BNSS), is wide enough and empowers a Magistrate to pass orders for registration of FIR, such other orders as may be necessary for monitoring investigation and for ensuring proper investigation. Since, there is an alternative remedy available to the petitioner, invocation of extra-ordinary remedy under Section 528 Bhartiya Nagarik Suraksha Sanhita, 2023 is not warranted.

8. The petition stands disposed of. Petitioner is at liberty to avail alternative remedy, if she so desires.

9. All pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

24.04.2026

HS.CHAUHAN

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No