

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

CRM-M-15082-2022

Date of decision:-8.4.2022

Mohan Lal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.P.K. Rapria, Advocate
for the petitioner.

Mr.A.S. Narwal, DAG, Haryana.

H.S. MADAAN, J.(ORAL)

This petition under Section 482 Cr.P.C. has been filed by petitioner Mohan Lal for issuance of directions to respondents No.1 and 2 i.e. State of Haryana and Superintendent of Police, Kaithal to register case against private respondents No.4 to 6 for offences under The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) 1989.

According to the petitioner, he had moved representations dated 8.6.2020 and 22.6.2020 to the police in that regard but to no effect necessitating the filing of the present petition.

As per own case of the petitioner, FIR No.0106 dated 9.6.2020 for the offences under Sections 3 of Public Property (Prevention of Damage) Act, 1985 and 447 and 506 read with Section

34 IPC has already been registered against private respondents, namely, Sukhwinder Singh, Aman and Harminder @ Tota, in which one Raj Kumar is complainant. The said FIR is under investigation.

As informed by the State counsel, the challan in this case has been filed.

Admittedly, the petitioner is not the complainant in that case. Therefore, he cannot ask for addition of particular offences in the case. If so advised, he may avail of remedy by approaching learned Illaqa Magistrate at Kaithal seeking registration of FIR by filing an application under Section 156(3) Cr.P.C. or by filing a private complaint. Learned Magistrate then may take appropriate action in accordance with law. However, the instant petition at his instance is not maintainable and is dismissed accordingly.

8.4.2022

Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No

(H.S.MADAAN)
JUDGE