

(1994) 11 P&H CK 0017

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. 6334-M of 1994

Salilesh Darshan

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision : 10-11-1994

Acts Referred:

Citation : (1995) 1 RCR(Criminal) 599

Hon'ble Judges : V.K.Jhanji, J

Advocate : K.S. Dadwal, Rajesh Kalra, Advocates for appearing Parties

Judgement

V.K. Jhanji, J. (Oral)

1. The present petition has been filed U/s 482 Cr.P.C. for issuing a direction to respondent Nos. 1 to 7 to register a case against respondent Nos. 8 to 11. It has been stated in the petition that sometimes in the month of October, 1993, petitioner No. 1 with a view to see the land, went to Village Alakhoura where respondent Nos. 9 and 10 maltreated her and also did not allow her to enter into the land in question and forcibly took over the possession of the land against which petitioner No. 1 approached the S.H.O. Bewani Khera for taking legal action for committing trespassing and cruel some behaviour against respondent Nos. 8 to 10 but the S.H.O. Bewani Khera failed to initiate any action due to undue influence of respondent No. 8. It has further been stated that petitioner No. 1 was forced to submit a complaint in writing to the S.P. Bhiwani. No action was taken on her complaint by the S.P. Bhiwani. Thus, a prayer has been made that respondent Nos. 1 to 7 be directed to register a case for taking action against respondent Nos. 8 to 11 in accordance with law.

2. Written statements have been filed by respondent Nos. 2, 3, 4 and 5. Respondent Nos. 2 and 3 have stated that only once petitioner Nos. 1 and 2 moved application on 1.5.1994 in police station Bewani Khera. Necessary action was taken on their application to their satisfaction. Attested copies of complaints and the satisfaction report of the petitioners have been attached with the written statement. Respondent Nos. 4 and 5 have stated that they have no knowledge

about any alleged dispute between the petitioners and respondent Nos. 8 to 11 nor any complaint annexures P2 and P4 was ever received in Police Station City, Hissar or in the office of the Superintendent of Police, Hissar till date. It has further been stated that the petitioners have no cause of action against the answering respondent because the land in question is located in village Alakhpura in District Bhiwani whereas respondent Nos. 8 to 11 are residing at Panchkula.

3. On the consideration of the written statements and after hearing the learned counsel for the parties, I am of the view that in the circumstances of the case, no direction is required to be given to the respondents to register a case against respondent Nos. 8 to 11. If the petitioners are aggrieved for the nonregistration of the case, they may, if so advised, avail the remedy of a complaint. The petition stands disposed of accordingly.