



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

**CRM-M-55639-2025
Date of decision: 01.10.2025**

DARSHAN LAL

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Vishal Sharma, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for directing respondent authorities to conduct a fair, proper and time-bound investigation in FIR No.31 dated 27.03.2025 registered at Police Station Mahilpur, District Hoshiarpur, under Section 125 of BNS, 2023 and Sections 25 of Arms Act, 1959 and to take action on the complaint/representation dated 10.06.2025 (Annexure P-2).
2. Learned counsel for the petitioner submitted that the petitioner has submitted a detailed complaint dated 10.06.2025 (Annexure P-2) before the higher authorities, however, no action has been taken so far.
3. Heard. As the FIR has already been registered, and the investigation in regard to the same is already being carried out, this Court does not deem it a fit case to issue directions or interfere at this stage. The Hon'ble Supreme Court in *Sakiri Vasu Vs. State of U.P. and others, (2008) 2 SCC 409* has held that the Magistrate has been bestowed with all necessary powers to ensure proper investigation under Section 156(3) Cr.P.C. Discouraging



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the practice of approaching the High Court for redressal of grievances like non-registration of FIR or improper investigation, it has been held in the following paragraphs:

“27. As we have already observed above, the Magistrate has very wide powers to direct registration of an FIR and to ensure a proper investigation, and for this purpose he can monitor the investigation to ensure that the investigation is done properly (though he cannot investigate himself). The High Court should discourage the practice of filing a writ petition or petition under Section 482 Criminal Procedure Code simply because a person has a grievance that his FIR has not been registered by the police, or after being registered, proper investigation has not been done by the police. For this grievance, the remedy lies under Sections 36 and 154(3) before the concerned police officers, and if that is of no avail, under Section 156(3) Criminal Procedure Code before the Magistrate or by filing a criminal complaint under Section 200 Criminal Procedure Code and not by filing a writ petition or a petition under Section 482 Criminal Procedure Code.

28. It is true that alternative remedy is not an absolute bar to a writ petition, but it is equally well settled that if there is an alternative remedy the High Court should not ordinarily interfere.”

4. In view of the above, present petition is disposed of with a direction to the petitioner to exhaust legal remedies as available to him in accordance with law.

October 01, 2025

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(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No