

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

CWP No.16333 of 2015

Date of Decision: 10.08.2015

Karamjit Singh Bhullar

... Petitioner

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Rupinder K. Thind, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

In this petition, the following prayers have been made:-

“(i) A writ in the nature of mandamus directing the respondent No.1 to grant protection to the life and liberty of the petitioner from respondent no.6 as the petitioner is apprehending threat to his life on account of raising his voice against illegal acts of respondent no.6.

(ii) An appropriate writ, order or direction for conducting fair and unbiased enquiry/investigation with regard to the allegations against respondent no.6 by some independent agency or conducting of judicial enquiry with regard to it.

(iii) A writ, order or direction especially in nature of certiorari for quashing of the FIR No.180, dated 30.7.2015, P.S. Kotwali, Kapurthala, registered against the petitioner and subsequent proceedings thereof and for conducting of free and fair investigation in the FIR by some independent agency outside the state.

(iv) An appropriate writ, order or direction granting interim protection to the petitioner against his arrest in the above mentioned FIR as well as protection for allowing the petitioner to get his statement recorded before the Inspector General of Police as per notice dated 30.7.2015 (Annexure P/16).

(v) It is further prayed that during the pendency of this writ petition, the proceedings with regard to the FIR No.180, dated 30.7.2015, P.S. Kotwali Kapurthala may kindly be stayed.”

In the considered view of this Court, none of the aforesaid prayers can be answered in writ jurisdiction under Article 226 of the Constitution of India. There are regular, wholesome and alternative remedies available against each of those prayers under Section 482 of the Criminal Procedure Code, 1973 etc. Seriously disputed questions of fact have been raised with respect to an FIR lodged against the petitioner under the Narcotic Drugs and Psychotropic Substances Act, 1985, which cannot be resolved in writ jurisdiction.

Without making any comment on any of the allegations and averments made in the petition, the same is dismissed with liberty to the petitioner to seek his remedies before the appropriate forum.

With the aforesaid liberty, the petition stands dismissed.

10.08.2015
monika

(RAJIV NARAIN RAINA)
JUDGE