

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

CRM-M No.2407 of 2017 (O&M)
DATE OF DECISION : 19th AUGUST, 2019

Pushap Kumar alias Rahul

.... Petitioner

Versus

State of U.T. Chandigarh & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : None for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab
for respondents No.7 and 8.

None for remaining respondents.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 482 Cr.P.C. seeking direction to respondents No.1 to 3 to protect the life and liberty of the petitioner at the hands of respondents No.4 to 6, who are threatening the petitioner and his family members to falsely implicate them in a false and frivolous dowry case with a further prayer for directing respondent No.2 to take strict legal action against respondents No. 4 to 6.

Reply was filed by the State of Punjab by way of affidavit of Manpreet Singh, PPS, Deputy Superintendent of Police, Circle Amloh, District Fatehgarh Sahib. In the reply it was stated that no FIR has been registered against the petitioner so far. It was also pointed out that although at one stage parties had settled the dispute, however, thereafter it was the petitioner only who had got the signatures of the

respondent/wife fraudulently and on the basis of that he had got the petition filed for mutual divorce dismissed as withdrawn.

Learned counsel for the State of Punjab, on instructions from ASI Kulbir Kaur, Women Cell, Fategarh Sahib, submits that even today there is no FIR registered against the petitioner; so far. However, further action, if any, in the matter would be undertaken strictly in accordance with the mandate of law.

In view of the above, no grievance of the petitioner survives. Hence, no further orders are required to be passed in this case.

Even otherwise the main prayer in this case is for issuance of direction to the official respondents for protection of life and liberty of the petitioner. This court has already considered this aspect in ***Raj Rani And Others vs State Of Punjab And Others, CRM-M No.20457 of 2019*** and vide order dated 06.05.2019 has held that for the purpose of seeking protection of life and liberty, petition under Section 482 Cr.P.C. is not maintainable and the appropriate remedy can be by way of filing of writ petition under Article 226 of the Constitution of India.

In view of the above, the present petition is dismissed. However, if the petitioner still apprehends threat to his life and liberty, he may avail his alternate remedy; in accordance with law.

19th AUGUST, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>