

S.No.116

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

CRM-M-15806 of 2019 (O&M)

Date of Decision:05.04.2019

Gurdeep Singh

.....Petitioner

Vs.

State of Punjab and othersRespondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Raman Goklaney, Advocate
for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner seeking a direction to the respondent- authorities to take action on his representation dated 01.10.2018 and after recording his statement, to proceed under Chapter XII of Cr.P.C.

It is the case of the petitioner is that the petitioner and his family members are being threatened by the private respondents in connivance with the local police; who are hand in glove with each other; and the pressure is being exerted upon the petitioner to withdraw his complaints against private respondents. Therefore, the life and liberty of the petitioner and even his family members are in danger. It is further pointed out that the private respondents were not having an inch of land about 4-5 years ago but during the last 4-5 years, these persons have amassed properties of crores of rupees by indulging in illegal trade of narcotic drugs. The petitioner has also pleaded that he has given detail of assets and the land accumulated by the private respondents to the authorities. In this regard, the petitioner

has moved complaints to the Chief Minister, State of Punjab, as well as to the authorities. However, no action is being taken on those representations. The petitioner has further pointed out that on 06.07.2018, the petitioner and his wife were brutally thrashed and news regarding beating the petitioner and his wife was reported in print media as well. With these allegations, the above said prayer for direction to decide the representation of the petitioner has been made.

Having heard learned counsel for the petitioner and perused the file, this Court does not find any ground to interfere in this case. There is nothing on record to suggest that the private respondents have committed any offence and that the complaint lodged by the petitioner prima facie discloses any cognizable offence. It appears that the petitioner is having his personal grudge on account of the respondents getting rich. Hence, it is only a jealous perception of the petitioner that some other persons have got rich, although the petitioner has not been able to become rich so far. This grouse of the petitioner is not actionable in petition under Section 482 Cr.P.C.

Although, the petitioner has also alleged that on 06.07.2018, the petitioner and his wife were thrashed by the private respondents, however, no medical record has been placed on record to suggest anything like that as having happened; except the bald assertion in the petitioner. There is nothing to support even this assertion of the petitioner. Hence, there is no ground to interfere even on that count.

Otherwise also, the petitioner claims protection of his

fundamental right to life and liberty. Needless to say that Section 482 Cr.P.C is not meant to be used by a person for protection of life and liberty. For enforcement of fundamental right, as guaranteed by the Constitution, there is another efficacious remedy by way of civil writ petition. Hence, the present petition is otherwise also not maintainable.

In view of the above, finding no ground to interfere, the present petition is dismissed.

April 05, 2019	(RAJBIR SEHRAWAT)
renu	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No