

**S.No.113**

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

**CRM-M-16363 of 2019 (O&M)**

**Date of Decision:06.11.2019**

**Satish Kumar**

**.....Petitioner**

**Vs.**

**State of Haryana and others**

**.....Respondents**

**CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

**Present:- Mr. Satish Chaudhary, Advocate for the petitioner.**

**\*\*\*\***

**Rajbir Sehrawat, J.(Oral)**

This is a petition filed under Section 482 Cr.P.C for issuance of direction to the official respondents to conduct fair investigation and take strong legal action against the private accused/ respondents who have mercilessly beaten the petitioner and caused grievous injury fracture and are extending threats to kill the petitioner and his family members.

This Court has already held in another petition i.e. **CRM-M-20457 of 2019 decided on 06.05.2019**, that unless the statutory proceedings have already been initiated by a statutory authority or a Court, under Code of Criminal Procedure (for short, 'Cr.P.C'), Section 482 Cr.P.C cannot be invoked for issuance of any direction to the Police or the authorities. Still further it has been held that a petition under Section 482 Cr.P.C., for enforcement of fundamental right to life and liberty is not maintainable. The remedy can be a writ petition under Article 226 of Constitution of India.

In view of the above, counsel for the petitioner seeks permission to withdraw the petition with liberty to avail alternative remedies; in accordance with law.

Dismissed as withdrawn with liberty aforesaid.

**November 06, 2019**

**renu**

**( RAJBIR SEHRAWAT )**

**JUDGE**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No