

S.No.110

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

CRM-M-34671 of 2018 (O&M)

Date of Decision:14.11.2019

Paramveer Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Gursharan Singh, 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 respondents to take appropriate action against the owner of World Key Overseas Solution Pvt. Ltd. Company Address SCF-48, Top Floor, Phase 3B2, Sector 60, Mohali for fraud of Rs.3,16,440/- with petitioner on account of sending abroad.

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Dismissed as withdrawn with liberty aforesaid.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 14, 2019

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(RAJBIR SEHRAWAT)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No