

Sr. No.112

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

CRM-M-47765-2018

Date of decision:10.07.2019

Joginder Pal Singh @ Joga

.....Petitioner

versus

State of Punjab and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Ms. Himani Kapila, Advocate for
Mr. Rajesh Kapila, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for issuance of direction to respondents No.1 to 4 to take appropriate legal action against respondent No.5, who is trying to forcibly take away the vehicle of the petitioner with the help of recovery agents and henchmen.

This Court has already held in another petition i.e. CRM-M-20457-2019 decided on 06.05.2019 that unless the statutory proceedings have already been initiated by a statutory authority or Court under Code of Criminal Procedure(for short, 'Cr.P.C'), the petition under Section 482 Cr.P.C is not maintainable for issuance of any direction. The remedy is a writ petition under Article 226 of the Constitution of India.

In view of the above, the present petition is dismissed as withdrawn with liberty to avail alternate remedies available in accordance with law.

10th July, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*
Whether Reportable *Yes/No*