

Sr. No.109

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

CRM-M-25559-2019

Date of decision:13.08.2019

Mahinder Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: None for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for issuance of directions to take legal action against respondents No. 4 to 6, who have misused their official capacity and did not investigate fairly the complaints made by the petitioner against the persons with whom, he has entered into an agreement to sell.

This Court has already held in another petition i.e. ***CRM-M-20457-2019; Raj Rani and others vs. State of Punjab and others 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 can be a writ petition under Article 226 of the Constitution of India.

In view of the above, the present petition is dismissed.

However, the petitioner shall be at liberty to avail alternate remedy in accordance with law.

13th August, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*