

Sr. No.124

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

CRM-M-33638-2019

Date of decision:20.08.2019

Rajiv Kumar

.....Petitioner

versus

State of Punjab and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Anurag Chopra, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for issuance of an appropriate Order or direction to the official respondents to independently enquire into any complaint which is filed against the petitioner in pursuance to the Order dated 06.08.2019(Annexure P-3) directed the respondent No.3 to initiate legal action and direct the fixation of criminal liability.

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.

20th August, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*