

S.No.118

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

CRM-M-34203 of 2019 (O&M)

Date of Decision:22.08.2019

Pawan Kumar

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. K.K. Saini, Advocate
for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner for issuance of a direction to respondents No.2 and 3 to register an FIR against respondent No.4 and respondent No.5 for playing fraud and cheating with the petitioner.

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 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 would be at liberty to avail any other alternative remedy, in accordance with law.

August 22, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No