

**S.No.117**

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

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**CRM-M-37790 of 2019 (O&M)  
Date of Decision:06.09.2019**

**Gurinder Singh                      ....Petitioner**

**Vs.**

**State of Punjab and others      ....Respondents**

**CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present:-      Mr. R.S. Chauhan, Advocate  
                         for the petitioner.

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**Rajbir Sehrawat, J.(Oral)**

This is a petition filed under Section 482 Cr.P.C for passing an appropriate order of direction for the protection of the petitioner in respect of the life, liberty and property of the petitioner as he is apprehending danger to his life and his family in the hands of respondents No.5 to 11 as despite the various representations made by the petitioner till date, no action has been taken.

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Dismissed as withdrawn with liberty aforesaid.

September 06, 2019  
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( RAJBIR SEHRAWAT )  
JUDGE

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |