

**Sr. No.124**

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

**CRM-M-39940-2019(O&M)**  
**Date of decision:19.09.2019**

**Swaran Singh Dhillon**

**.....Petitioner**

**versus**

**State of Punjab and others**

**.....Respondents**

**Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

**Present:** Mr. Iqbal Singh Saggu, Advocate  
for the petitioner.

**Rajbir Sehrawat, J(Oral)**

Present petition has been filed seeking issuance of directions to the respondents for transfer of the investigation into the complaint/inquiry against the son of the petitioner to some higher officer of outside the District Jalandhar as the police authorities of District Jalandhar are acting under the local political pressure.

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 present petition with liberty to avail alternative remedies; in accordance with law.

Dismissed as withdrawn with liberty aforesaid.

**19<sup>th</sup> September, 2019**

Shivani Kaushik

*Whether speaking/reasoned*

*Whether Reportable*

*Yes/No*

*Yes/No*

**[RAJBIR SEHRAWAT]**

**JUDGE**