

**Sr. No.119**

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

**CRM-M-40502-2019**

**Date of decision:20.09.2019**

**Kewal Singh**

**.....Petitioner**

**versus**

**State of Punjab and others**

**.....Respondents**

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

**Present:** Mr. Abhijeet P.S.Chaudhary, Advocate  
for the petitioner.

**Rajbir Sehrawat, J(Oral)**

Present petition has been filed for issuance of directions to respondent No.2 to direct the respondent No.3 for the registration of a case against private respondents as per the inquiry reports conducted and submitted by their own senior police officials.

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Dismissed as withdrawn with liberty aforesaid.

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

Shivani Kaushik

**[RAJBIR SEHRAWAT]  
JUDGE**

*Whether speaking/reasoned*      *Yes/No*  
*Whether Reportable*              *Yes/No*