

**S.No.120**

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

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**CRM-M-44934 of 2019 (O&M)  
Date of Decision:23.10.2019**

**Jaspinder Kaur and another       .....Petitioners**

**Vs.**

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

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

Present:-     Mr. V.K. Jindal, Advocate  
                  for the petitioners.

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

This is a petition filed under Section 482 Cr.P.C for issuance of appropriate directions to the respondents not to harass the petitioners under the garb of carrying on investigation against accused Balwinder Singh s/o Amrik Singh in FIR No.63 dated 31.07.2019 registered under Sections 22, 25 of NDPS Act at Police Station Block Majri, District SAS Nagar.

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 petitioners seeks

permission to withdraw the petition with liberty to avail alternative remedies; in accordance with law.

Dismissed as withdrawn with liberty aforesaid.

October 23, 2019  
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( RAJBIR SEHRAWAT )  
JUDGE

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