

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

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**CRM-M No. 49156 of 2019
Date of decision : 19.11.2019**

Kadar Sharma and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. R.S. Bhatta, Advocate, for the petitioners

Ms. Amarjit Kaur Khurana, DAG, Punjab

Rajbir Sehrawat, J. (Oral)

This is a petition filed under Section 482 Cr.P.C for issuance of direction to the officials respondents to look into the grievance of the petitioners and to protect the life and liberty of the petitioners.

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Dismissed as withdrawn with liberty aforesaid.

**(RAJBIR SEHRAWAT)
JUDGE**

19.11.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No