

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

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**CRM-M No. 53123 of 2019
Date of decision : 13.12.2019**

Naveen Kumar

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Ranvir Singh Arya, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for issuance of directions to respondent No. 2 to decide the representation dated 15.11.2019 (Annexure P-1).

This Court has already held in another petition bearing **CRM-M No. 20457 of 2019 decided on 6.5.2019**, 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. Hence, a petition under Section 482 Cr.P.C., for a direction to police to register FIR or for decision on representation, is not maintainable. The remedy can be a writ petition for issuance of mandamus under Article 226 of the 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Dismissed as withdrawn with liberty aforesaid.

**(RAJBIR SEHRAWAT
JUDGE**

13.12.2019

Ashwani

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