

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

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**CRM-M No. 53393 of 2019
Date of decision : 13.12.2019**

Ram Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Rajesh Kapila, Advocate, for the petitioners

Rajbir Sehrawat, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for issuance of directions to respondents No. 2 and 3 to take an action against respondents No. 4 to 7.

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 petitioners 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Dismissed as withdrawn with liberty aforesaid.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