

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.54067 of 2019
DATE OF DECISION : 18th DECEMBER, 2019

Mohd. Iltaf

.... Petitioner
Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. J. S. Jaidka, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for issuance of directions to official respondents to decide the representation of the petitioner dated 17.07.2019, on merit and not to coerce the petitioner to enter into a compromise.

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. 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 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Dismissed as withdrawn with liberty aforesaid.

18th DECEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No