

S.No.114

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

CRM-M-21126 of 2020 (O&M)

Date of Decision:30.07.2020

Chetan Sehgal

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Chetan Sehgal, petitioner in person.

Mr. Luvinder Sofat, AAG, Punjab.

Rajbir Sehrawat, J.(Oral)

This is a petition filed under Section 482 Cr.P.C for issuance of directions to respondents No.2 to 4 to take legal action by way of registering criminal case for the offences under Section 166A, 188, 266, 269, 270, 271, 283, 336, 201, 202 and 506, 120B IPC and under Section 3 of Epidemic Act, 1897 on the basis of representations dated 03.07.2020, 04.07.2020 and 21.07.2020 against Guriqbal Singh and other persons.

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

Dismissed as withdrawn with liberty aforesaid.

July 30, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No