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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-22819-2020
Date of Decision: 14.08.2020

Kabal Singh

..... Petitioner

Versus

State of Punjab and Ors

..... Respondents

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In virtual Court
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CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr.Shivender Sharma, Advocate,
for the Petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondent Nos. 2 & 3 to take appropriate action against respondents No.4 to 12 who illegally confined the petitioner and his family in the house and illegally entered in the boundary wall/*haveli* and demolished the constructions over the property owned by petitioner and his brothers by misusing their power and also for giving threats to kill the family of the petitioner and to involve them in false cases.

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

Dismissed as withdrawn with liberty aforesaid.

14.08.2020
anil

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No