

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

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IN VIRTUAL COURT

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**CRM-M No. 31777 of 2020
Date of decision : 9.10.2020**

Garib Dass

.....Petitioner

Vs.

The State of Punjab and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Abnash Singh, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondents No.1 and 2 to take action against respondents No. 6 and 7 on account of committing a cognizable offence with intention to kill the petitioner. It is further prayed that respondents No.3 to 5 be directed not to harass and threaten the petitioner under the influence of private respondents.

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, the present petition is dismissed.

**(RAJBIR SEHRAWAT)
JUDGE**

9.10.2020

Ashwani

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