

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

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IN VIRTUAL COURT

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**CRM-M No. 35109 of 2020
Date of decision : 2.11.2020**

Sarika Dhawan and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. H.C. Arora, Advocate, for the petitioners

Rajbir Sehrawat, J. (Oral)

This is a petition filed under Section 482 Cr.P.C for issuance of directions to respondent No.3 (CBI) to investigate the case of misappropriation of funds fairly and properly, in accordance with law.

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**

2.11.2020

Ashwani

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