

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

CRM-M No.35209 of 2020
DATE OF DECISION : 2nd NOVEMBER, 2020

Rohit Gupta

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court
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Present : Mr. Karanyog Singh Riar, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for issuance of direction to respondents No.1 to 3 to take action on the representations dated 13.01.2020 and dated 28.08.2020 as well as on letter dated 10.08.2020 sent by respondent No.4 for registering criminal case against respondents No.6 to 11 for selling the attached properties of respondents No.12 and 13.

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Dismissed as withdrawn, with liberty as aforesaid.

2ND NOVEMBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>