

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(224)

CRM-M-48993-2019

Date of decision: - 21.12.2021

Suresh Kumar

....Petitioner

Versus

U.T. Chandigarh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Robert Kanwar, Advocate, for the petitioner.

Mr. Y.S. Rathore, Additional P.P., U.T., Chandigarh.

Mr. Ullas Kapoor, Advocate, for respondent No.3.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. read with Sections 226/227 of Constitution of India for the issuance of appropriate direction to respondents No.1 and 2 to protect the life and liberty of the petitioner and also for issuance of direction to register an FIR against respondent No.3.

After arguing for some time and faced with the dictum of law laid down by Hon'ble Supreme Court of India in case titled as '**Sakiri Vasu** Vs. **State of U.P. and others**', reported as 2008(2) SCC 409 and in '**M. Subramaniam and another** Vs. **Janaki and another**', Criminal Appeal No.102 of 2011, decided on 20.03.2020, learned counsel for the

petitioner seeks permission of this Court to withdraw the present petition with liberty to pursue alternative remedies, in accordance with law.

Learned counsel for respondent No.3 on the other hand has pointed out that the petitioner had already filed an application under Section 156(3) Cr.P.C. before the trial Court and the same has been dismissed.

It would be open to the trial Court to take into consideration the fact that earlier application filed by the petitioner under Section 156(3) Cr.P.C. has already been dismissed by the trial Court and all other factors before passing any order in case any application is filed by the petitioner.

In view of the above, the present petition is dismissed as withdrawn, with liberty aforesaid.

December 21, 2021
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No