

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-40601-2022(O&M)

Date of decision : 06.09.2022

Sudershan Kumar Rai

... Petitioner

Versus

Union Territory of Chandigarh and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Kabir Sarin, Advocate
for the petitioner.

Mr.Abhinav Gupta, Addl.P.P. for U. T. Chandigarh.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. in which primarily two prayers have been made, one is for registration of an FIR and other prayer is for protecting the life and liberty of the petitioner.

Learned counsel for the petitioner seeks to withdraw the present petition with liberty to file a fresh petition only with respect to protection of life and liberty after giving an appropriate representation regarding the same to respondent no.3. It is further submitted that as far as his second prayer for registration of FIR is concerned, learned counsel for the petitioner, in view of the judgment of 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, has submitted that liberty be granted to him to file an appropriate application before a

In view of the above, the present petition is dismissed as withdrawn, with liberty to file a fresh petition only with respect to protection of life and liberty of the petitioner after making appropriate representation to respondent no.3. Liberty is also granted to the petitioner to file an appropriate application before a Magistrate with respect to the prayer for registration of the FIR.

In case any such application is filed before the Magistrate under Section 156(3) Cr.P.C., the same would be considered independently, on its merits, by the trial Court.

Pending miscellaneous application stands disposed of in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

September 06, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No