

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CRM-M-5583-2024
Date of decision: 02.02.2024

VICKY @ SAMUEL

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Piyush Sharma , Advocate
for the petitioner.

KULDEEP TIWARI. J.(Oral)

1. The instant petition has been filed for issuance of mandamus upon respondents No.2 and 3, to transfer the jail of the petitioner, confined in custody in FIR No.115, dated 07.10.2018, under Sections 302, 120-B, 307, 148 and 149 of IPC, and under Section 25 of the Arms Act, registered at Police Station Cantt. Ferozepur, District Ferozepur (Annexure P1), from District Jail, Muktsar to Central Jail, Ferozepur.
2. A perusal of the record reveals that the petitioner did not move an appropriate motion before the appropriate authority concerned, and has straightaway filed the instant petition, therefore, the instant petition is not maintainable.
3. Faced with the above difficulty, counsel for the petitioner submits that he may be permitted to withdraw the instant petition, however, with liberty to approach the appropriate authority by making appropriate motion, for seeking the same relief, which has been sought through the instant petition.

4. The instant petition is ordered to be dismissed as withdrawn, with liberty to the petitioner, that in case the petitioner prefers an application within 15 days from today, before the appropriate authority concerned, the latter shall decide the same within next 15 days, by passing a speaking order.
5. Disposed of accordingly

02.02.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No