

(2012) 09 P&H CK 0277

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-28431 of 2012 (O and M)

Charanjit Kaur

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision: Sept. 17, 2012

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482

Hon'ble Judges: Rameshwar Singh Malik, J

Bench: Single Bench

Advocate: G.S. Sandhu, for the Appellant;

Judgement

Rameshwar Singh Malik, J.

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this court by way of instant petition u/s 482 of the Code of Criminal Procedure, invoking its inherent jurisdiction for appropriate directions to the respondent authorities. Learned counsel for the petitioner, at the very outset, fairly states that the petitioner has got the alternative remedy, which has not been availed by him, so far.

2. During the course of hearing, when confronted with the judgement of the Hon"ble Supreme Court of India, in the case of Sakiri Vasu Vs. State of U.P. and Others, which has recently been reiterated in Samaj Parivartan Samudaya and others Vs. State of Karnataka and others, 2012 (3) RCR (Crl.) 788, learned counsel for the petitioner very fairly states that let this petition be ordered to be dismissed as withdrawn, with liberty to the petitioner to avail his alternative remedy, in terms of the law laid down in Sakiri Vasu's case (supra).

3. In view of the above statement made by the learned counsel for the petitioner and without prejudice to the rights of the parties, the instant petition is ordered to be dismissed as withdrawn, with liberty as prayed for.

4. However, lest this order is misunderstood, it is made clear that as and when appropriate petition is moved by the petitioner before the concerned authority under Chapter XII of the Code of Criminal Procedure, the same shall be considered dispassionately and expeditiously, passing appropriate orders thereon, in accordance with law. With the observations made above, the instant petition is disposed of.