

CRM-M-15880-2013 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-15880-2013 (O&M).
Decided on: August 17, 2015.**

Harbhawan Singh @ Kala

.. Petitioner(s)

VERSUS

State of Punjab and another

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.B.S.Jaswal, Advocate,
for the petitioner.**

Mr.Jashan Preet Singh, AAG., Punjab.

**Mr.Dinesh Kumar, Advocate,
for respondent No.2.**

M.M.S. BEDI, J. (ORAL)

Counsel for the petitioner submits that the petitioner has not been specifically named in the FIR and has been described as unidentified person. The petitioner has not been attributed any role. It is further submitted that the matter has also been compromised with respondent No.2 Gurnam Singh.

In view of above said circumstances quashing of FIR qua petitioner has been prayed for.

On asking of the Court, it has been informed that the challan has not yet been presented. However, the other co-accused of the petitioner having not been arrayed as a party, it will not be appropriate to partially quash the FIR on the basis of

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compromise.

This petition is disposed of with a direction that the Investigating Officer will record the supplementary statement of the complainant and in case on the basis of said statement, no offence is made out against the petitioner, it will be open to the prosecution agency to file cancellation report. In case of presentation of cancellation report, it will be open to the complainant to accept the same by not filing any protest petition and the Illaqua Magistrate, shall allow the cancellation report.

(M.M.S.BEDI)
JUDGE

August 17, 2015.
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