

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

**C.R.M-M No.22342 of 2013(O&M)
Date of Decision : 08.01.2015**

Vinika

..... Petitioner

Versus

The State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. G. S. Sandhu, Advocate
for the petitioner.

Mr. A.P.S. Gill, A.A.G., Punjab.

Mr. N.G. Sharma, Advocate
for respondents No.4 to 6.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This petition has been filed against the acceptance of the cancellation report by order dated 15.07.2006 passed by the Judicial Magistrate Ist Class, Ludhiana.

The petitioner had levelled the allegations of cruelty against her husband and her in-laws in the FIR. The cancellation report was submitted to which the petitioner had filed the protest petition and the same having been accepted the petitioner is before this Court.

Learned counsel for the petitioner has argued that despite the

fact that the order is very long yet in the order first the allegations were reproduced and in the last one or two lines it has been mentioned that report has been accepted by merely saying that the Judge agrees with the cancellation report and no reasons have been given by the Court as to why she had accepted the cancellation report.

Learned Assistant Advocate General as well as the learned counsel for the respondents No.4 to 6 have not been able to point out a single reason which may have weighed with the Court in accepting the cancellation report.

Consequently, I have no option except to set aside the order dated 15.07.2006 and remand the case back for fresh decision as per law by the trial Court. Ordered accordingly. The parties through counsel are directed to appear before the trial Court on 20.02.2015. The trial Court is directed to take a fresh decision as per law within a period of three months.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 08, 2015

ashish

**(AJAY TEWARI)
JUDGE**