

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

Criminal Misc.No.M-20968 of 2015

Date of Decision: August 11, 2015

Gurdas Singh & Ors.

...Petitioners

Versus

State of Punjab & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.P.P.S.Tung, Advocate,
for the petitioners.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 482, Cr.P.C., is for quashing of FIR No.109, dated 30.08.2014, for the offences punishable under Sections 148, 307, 323 read with Sections 34 and 149, IPC, registered at Police Station, Nehianwala, District Bathinda and the consequential proceedings arising therefrom on the basis of investigation report dated 20.05.2015 (Annexure P-3).

Learned counsel for the petitioners contends that after investigation, the petitioners were declared innocent but the cancellation report has not been filed, therefore, the FIR as well as the consequential proceedings be quashed.

I have heard learned counsel for the petitioners and with his able assistance gone through the material available on record.

On the basis of the allegations, the FIR for the offences punishable under Sections 148, 307, 323 read with Sections 34 and 149, IPC, was registered at Police Station, Nehianwala, District

Bathinda. The only ground of the petitioners is that after investigation, they were declared innocent but the cancellation report has not yet been filed. The investigation report (Annexure P-3) enclosed with the petition would show that the Superintendent of Police Crime Punjab, had recommended to the Senior Superintendent of Police, Bathinda for approval of the cancellation report.

The prayer put-forth by the petitioners is pre-mature. There is set procedure for filing the cancellation report after obtaining necessary sanction from the Senior Superintendent of Police of the concerned district. The Superintendent of Police had already recommended for getting approval of the concerned Senior Superintendent of Police for presentation of the cancellation report, therefore, this Court does not find any ground for interference at this stage.

Dismissed.

August 11, 2015
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(Naresh Kumar Sanghi)
Judge