

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

**Criminal Misc. No. M-27640 of 2015
Date of Decision:-21.8.2015**

Kharak Singh Bajwa

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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

Present:- Mr. J.S. Brar, Advocate
for the petitioner.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of direction for quashing the impugned order dated 6.12.2014 (Annexure P-3) passed by learned Chief Judicial Magistrate, Patiala, whereby the cancellation report submitted by the police in FIR No.187 dated 24.5.2010, under Sections 406, 420, 435, 467, 468 and 471 IPC, registered at Police Station Kotwali, Patiala, has been accepted by the learned Court.

The order dated 6.2.2014, passed by learned Presiding Officer Lok Adalat-cum-Chief Judicial Magistrate, Patiala, reads as under:-

“File taken up today in Lok Adalat. The present cancellation report is pending for service of the

complainant Kharak Singh Bajwa s/o Bhagat Singh Bajwa since long, but he is not appearing in the Court. The accused has placed on record copy of the order dated 14.12.2012 passed in a complaint titled as Himanshu Verma vs. Kharak Singh Bajwa by the Court vide which the accused Kharak Singh Bajwa, who is complainant in this case, was declared proclaimed offender.

The said complaint Kharak Singh Bajwa is also not putting up appearance in the present cancellation report since long. In the considered opinion of this Court no useful purpose would be served by keeping the present cancellation report pending for waiting presence of the complaint.

As such, the present cancellation report is hereby accepted. Cancellation/closure report be returned to the concerned quarters against proper receipt, alongwith copy of the present order. However, the complainant Kharak Singh Bajwa is at liberty to file protest petition in case he put up his appearance in future or produced by the police after his arrest.

Judicial paperes be consigned to the record room.”

Perusal of the aforesaid order dated 6.12.2014 clearly shows that while accepting the cancellation report, the Court has protected the interest of the complainant and has rather granted liberty to the petitioner to file protest petition in case he put in appearance in future in the case. However, without any recourse to the aforesaid liberty, the petitioner has filed the present petition.

Learned counsel for the petitioner after arguing for some time wishes to withdraw the present petition with liberty to avail the relief in the

light of order dated 6.12.2014, whereby the petitioner has been granted liberty to file the protest petition.

Dismissed as withdrawn with the liberty aforesaid.

August 21, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE