

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-29771 of 2015

Date of Decision: September 07, 2015

Mandeep Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGHPresent: Mr.H.S.Dhindsa, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for issuance of direction to respondents No.2 and 3 to set aside the second enquiry report dated 25.05.2015 given by respondent No.4 whereby the FIR No.191 dated 11.09.2014 under Sections 341, 323, 447, 511, 148 and 149 IPC registered at Police Station Dakha, District Ludhiana Rural, has been recommended to be cancelled by holding a second diagonally opposite enquiry report dated 25.05.2015 which is also against the instructions passed by respondent No.2 dated 01.04.2008 barring multiple enquiries as well as against the settled case law.

I have heard learned counsel for the petitioner and have gone through the record.

As per arguments of learned counsel for the petitioner,

challan has not been presented so far. It is argued that second enquiry has been conducted and respondents No.2 and 3 are relying upon that enquiry. There is nothing on the record that SSP, Ludhiana has recommended the cancellation nor the cancellation report has been submitted before the trial Court. So, when the investigation is going on and no final decision has been taken yet nor cancellation report has been submitted to the Court, therefore, this petition under Section 482 Cr.P.C. for setting aside the enquiry report is premature. Firstly, it is for the SSP, Ludhiana, whether he agrees with the enquiry report or not. Secondly, the cancellation report will be presented before the trial Court for scrutiny even if the cancellation of the FIR has been recommended by the SSP.

Therefore, finding the present petition as premature, the same is dismissed.

September 07, 2015
Vgulati

(INDERJIT SINGH)
JUDGE