

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

CRM-M-No. 32579 of 2014
Date of decision: 01.10.2015

Bhupinder Singh

-----Petitioner (s)

V/s

State of Punjab and another

-----Respondent(s)

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. G.S. Thind, Advocate for the petitioner(s).

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Sandeep Jasuja, Advocate for respondent
No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.40, dated 09.05.2011 for offence under Sections 363/382/341/120-B IPC and Sections 25 & 27 of the Arms Act. 1959(for brevity "the Act"), registered at Police Station, Arni Wala, District Ferozepur (Annexure P-1) qua the petitioner.

Learned counsel for the petitioner submits that family of the petitioner's wife, namely, Amandeep Kuar, was against the marriage of petitioner solemnized on 09.05.2011. He further submits they have filed a petition under Section 482 Cr.P.C. i.e. Criminal Misc. No. M-14626 of 2011 and sought protection from this Court. At the time of the

marriage, the age of the petitioner as well as petitioner's wife-Amandeep Kaur was 24 years and 20 years respectively.

The reply by way of affidavit of Veer Chand, Deputy Superintendent of Police (D), Fazilka, District Fazilka has already been filed on behalf of the respondent-State of Punjab. Para 3 of the reply reads as under:-

“That since during the investigation, the allegations of the FIR in question were found false, so the police prepared a cancellation report on 28.05.2012 in the above said FIR and the same will be presented before the Illaqa Magistrate shortly. As such, no cause of action has accrued to the petitioner to file the present petition.”

Learned counsel for the complainant-respondent No.2 submits that that allegations against the petitioner are serious in nature and, therefore, the FIR cannot be quashed, as the petitioner along with other persons have snatched the valuable from the complainant with the use of arms.

Learned counsel for the State, on instructions from, ASI-Karamjit Singh submits that the police has conducted investigation and on the basis of investigation, filed a cancellation report before the learned Magistrate on 07.07.2015, however, the same was not accepted by the Magistrate and reinvestigation was ordered. The Police re-investigate the matter and found the same status. Accordingly, the cancellation report is being filed again.

In view of the statement of learned State counsel that cancellation report is being filed again, the instant petition has been rendered infructuous and disposed of as such.

However, the complainant is at liberty to file protest petition, if so advised.

October 01, 2015

Anjal

**(HARI PAL VERMA)
JUDGE**