

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

CRM-M-No. 36439 of 2014

Date of decision: 07.12. 2015

Charanjit Singh

-----Petitioner (s)

V/s

State of Punjab

-----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. Surinder Garg, Advocate for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab

HARI PAL VERMA, J.(Oral)

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.27 dated 19.03.2007, for offence under Sections 353/186/332/341/427 IPC & 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Gidderbaha, Distt. Sri Muktsar Sahib (P-1) and all other subsequent proceedings arising therefrom.

Learned counsel for State has already filed reply in the case on 07.07.2015 by way of affidavit of Harmik Singh Deol, PPS, Deputy Superintendent of Police, Sub-Division, Gidderbaha, Distt. Sri Muktsar Sahib on behalf of respondent-State of Punjab.

Para 2 of the reply reads as under:-

“That it is submitted that the FIR in question was rightly registered against the petitioner/accused on the statement of the complainant Mangat Ram. After registration of the FIR, the matter was investigation by the police and during the investigation, the FIR in question was found false. So, the police prepared the cancellation report and presented the same

before the learned Illaqa Magistrate. Since the complainant did not agree with the cancellation report, so the learned court vide order dated 21.12.2007 ordered for re-investigating the matter. As per the order of the learned court, the matter was re-investigated by the police and during the re-investigation, the FIR in question was found false, so the cancellation report again presented before the learned Illaqa Magistrate but since the complainant again did not agree with the cancellation report, so the learned court vide order dated 05.10.2012 ordered for conducting the re-investigation. The matter has now been investigated again and during the re-investigation, the FIR in question has been found false, so the police is going to present the cancellation report before the learned Illaqa Magistrate once again. It is submitted that first of all the police presented the cancellation report before the Ld. Illqa Magistrate in the year 2007 and the petitioner is well aware of this fact. No illegality has been committed by the police in the present matter. The police has acted in the present matter properly. As such, no cause of action has accrued to the petitioner to file the present petition.”

Learned counsel for the State, on instructions from ASI Darshan Singh, submits that cancellation report has been prepared on 13.06.2015 and the same is in the process of being filed before the Illaqa Magistrate.

In view of the above, no further direction is required to be issued in the present case.

Disposed of.

However, respondent No.2 is directed to submit cancellation report within three months from today.

December 07, 2015
Anjal

(HARI PAL VERMA)
JUDGE