

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-8479 of 2015

.....

Date of decision:14.8.2015

Dalbir Saroha

...Petitioner

v.

State of Haryana and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajwant Singh Chahal, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 482 Cr.P.C. for setting aside the order dated 29.5.2013 (Annexure-P.3) passed by learned Judicial Magistrate Ist Class, Sonapat in FIR No.441 dated 29.11.2012 registered for the offences under Sections 307 and 34 IPC and Section 25 of the Arms Act at Police Station Sonapat Sadar, District Soenpat, vide which cancellation report submitted by the Police was accepted and further it amounts to allowing of compounding off non-compoundable offence i.e. under Section 307 IPC.

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

As per the impugned order cancellation report was filed by the Police in the FIR in question. The Investigating Officer/SHO and

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complainant were present before the Court and statement of the complainant was also recorded separately to the effect that he is satisfied with the proceeding of the Police and he does not want any further investigation in the present case and the Judicial Magistrate Ist Class, Sonapat, vide order dated 29.5.2013 accepted the cancellation report.

The present petitioner is no way concerned with the matter in dispute. He is neither related to the complainant nor eye witness to the occurrence nor he is victim in any way. The complainant was present before the Judicial Magistrate Ist Class and has recorded his statement having no objection to the cancellation.

Therefore, from the above, I find that the present petitioner has no locus standi to file this petition being not concerned, in any way, with the matter in dispute. Therefore, this petition filed by the petitioner is not maintainable and the same is dismissed as such.

August 14, 2015.

(Inderjit Singh)
Judge

hsp