

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

CRM No. M-8951 of 2015 (O&M)

Date of Decision: 01.05.2015.

Jagdish Chander & others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. K.S. Banyana, Advocate for the petitioners.

Mr. M.S. Sidhu, Additional Advocate General, Haryana.

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TEJINDER SINGH DHINDSA.J.

In compliance of the order dated 19.03.2015 passed by this Court, a status report by way of affidavit dated 25.04.2015 of the Deputy Superintendent of Police, Narwana has been filed in Court today and the same is taken on record. Copy has been furnished to the counsel for the petitioner.

The instant petition filed under Section 482 Cr.P.C. seeks quashing of FIR No.161 dated 24.07.2012, under Sections 323/324/506/34 IPC, registered at Police Station Sadar Narwana, District Jind.

In the status report that has been taken on record today, following stand has been taken on behalf of the State:

“That the brief facts of the case are that on 24.07.2012, Bimla Devi, respondent No.2 made statement before ASI Roshan Lal of Police Station, Sadar Narwana levelling there in allegations of beating etc. against the petitioners. Upon which case bearing FIR No.161 dated 24.07.2012 under Sections 323/324/506/34 IPC was registered at Police Station Sadar Narwana (Annexure P-1). Investigation of this case was

carried out by ASI Roshan Lal of Police Station Sadar Narwana. During the course of investigation of the case no incriminatory evidence came on file and on 26.09.2012, the investigating officer of the case prepared cancellation report. The cancellation report has yet not been presented in the learned Court for acceptance and the same shall be presented in the learned trial Court in due course.

That, further on 18.04.2015, proceeding under Section 182 IPC has also been initiated against Smt. Bimla Devi, respondent No.2, for making false complaint against the petitioners. Fair and impartial investigation of the aforementioned case has been carried out by police. Since cancellation report has been prepared and written in case bearing FIR No.161 dated 24.07.2012 under Sections 323/324/506/34 IPC Police Station, Sadar Narwana and proceeding under Section 182 IPC has been initiated against respondent No.2, then the present petition is liable to be dismissed, being devoid of merits.”

State counsel upon instructions from ASI Narinder Singh would apprise the Court that the cancellation report that has been prepared by the Investigating Agency would be presented before the competent Court within a period of 2 weeks'.

In the light of such categorical stand taken on behalf of the State, counsel for the petitioners state that he would not be pressing the instant petition and seeks withdrawal of the same.

Dismissed as withdrawn.

01.05.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**