

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

**CRM-M No. 15303 of 2015
Date of decision: 16.12.2016**

Ram Saroop

...Petitioner

Versus

State of Punjab & Others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Saravpreet Gurna, Advocate
for the petitioner.

Mr. Mikhail Kad, AAG, Punjab
for respondent Nos. 1 to 3.

None for respondent Nos. 4 and 5.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure (*for short 'Cr.P.C.'*) for submission of report under Section 173 Cr.P.C. in case FIR No. 108 dated 17.05.2013, registered under Section 306 of the Indian Penal at Police Station Rajpura City.

Counsel for the petitioner contends that earlier too a petition bearing CRM-M No. 10265 of 2014 had been filed before this Court. After issuance of notices therein, reply was filed and it was submitted by the State that the cancellation report had been filed. On the basis thereof, the petition was disposed of giving liberty to the petitioner to file his protest petition. Since the cancellation report was not filed, this Court has been approached again by way of the instant seeking similar relief as was sought in CRM-M No. 10265 of 2014.

Upon notice, reply has been filed in the instant petition wherein it

is submitted that cancellation report so prepared could not be filed before the Illaqa Magistrate as it was left lying in the record inadvertently in the police station itself. Now, a cancellation report has been submitted to the Illaqa Magistrate on 24. 09. 2015 and notices were served to file protest petition on which the learned trial Court ordered reinvestigation in the matter. A Special Investigation Team was constituted by the Senior Superintendent of Police, Patiala for completion of investigation of the case in the aforesaid FIR and on conclusion of the said investigation another cancellation report has been prepared on 15.10.2016 and it was sent to the SSP, Patiala for approval. Such approval has been accorded on 08.12.2016 and now the respondents are in the process of submitting the same to the Illaqa Magistrate. Counsel for the respondents-State submits that the same will be forwarded to the Illaqa Magistrate within a period of two weeks from today.

In view of above, let the cancellation report be forwarded to the Illaqa Magistrate leaving the petitioner to file his protest petition if the need so arises.

Petition stands disposed of.

December 16, 2016

Ansari

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

No