

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-10467 of 2016 (O&M)
Date of Decision: 18.1.2018**

Mustak

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ankur Malik, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, Haryuana.

Mr. Sandeep Kotla, Advocate
for respondents No. 4 to 9.

ANITA CHAUDHRY, J (ORAL)

This petition has been filed under Section 482 Cr.P.C. seeking directions to respondents No. 1 to 3 to transfer investigation in FIR No. 54 dated 22.12.2015 registered under Section 363, 366(A), 34 IPC (Section 376 IPC added later on).

The Deputy Superintendent of Police, Palwal had filed reply and it was reported that cancellation report was prepared and was being sent for approval.

State counsel informs that the cancellation report is ready and has to be filed but the complainant is not appearing therefore it could not be filed. He states that the Court insists the presence of the complainant when the cancellation report is submitted.

The State can issue notice to the complainant for the date on

which they want to file the cancellation report.

No directions are required to be given as the police has already prepared cancellation report. The complainant has a remedy and can avail of the remedies under law.

The petition is disposed of.

**(ANITA CHAUDHRY)
JUDGE**

January 18, 2018
Gurpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No