

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.114

CRM-M-1092-2018

Date of decision : 04.04.2018

Jaswant Singh @ Pappu Gakhal

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sandeep Arora, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks quashing of FIR No.8 dated 27.02.2013, registered at Police Station Lambra, District Jalandhar, under Sections 447, 148, 149 and 506 IPC.

Notice of motion.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of the State of Punjab. Let two copies of the petition be supplied to him during the course of the day.

In view of the nature of the order being passed, there is no necessity to call upon respondent No.2, at this stage.

According to the petitioner, an FIR dated 07.12.2015 (Annexure P-1) was registered on the complaint made by respondent No.2. The petitioner is not named therein. After thorough investigation, the police filed cancellation report dated 23.08.2013 (Annexure P-2). The statement of the complainant was recorded by the trial Court on 06.04.2016 and thereafter, vide order dated 06.12.2017 (Annexure P-4), the trial Court has called for demarcation report.

I am afraid that the aforementioned facts do not make out a case for quashing of the FIR. However, since the cancellation report was filed as far back as on 23.08.2013 (Annexure P-2), this petition is disposed of with direction to the trial Magistrate concerned at Jalandhar, to pass an appropriate

order upon the said cancellation report within a period of three months from the date of receipt of certified copy of this order.

(SUDHIR MITTAL)
JUDGE

04.04.2018
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No