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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM-M-13099 of 2018
Date of Decision: 10.09.2018**Rajwant Kaur
.

.....Petitioner

Versus

State of Punjab & ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Nitin Rathaur, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr.Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN J. (oral)

Prayer in this petition is for issuance of a direction to respondent No.3, to submit a final report in case FIR No. 25 dated 10.04.2017 , under Sections 436, 452, 149 of IPC, registered at Police Station, Badhani Kalan, Moga, (Annexure P-1).

As per the reply filed by the Senior Superintendent of Police, Moga-respondent No.2, the then Deputy Superintendent of Police has submitted an inquiry report on 19.05.2017, with a finding that none of the accused mentioned in the complaint had entered in the house of the petitioner-complainant and recommended the cancellation of the FIR. Thereafter, when the cancellation report was presented before the Sub Divisional Judicial Magistrate, Nihal Singh Wala on 16.12.2017 and then the

Court after issuance a notice to the petitioner and recording the statement that

the petitioner is not agreeable with the cancellation report, directed the police to re-investigate the case and thereafter, on further investigation again a cancellation report is prepared on 22.04.2018.

Learned State Counsel, on instructions from ASI Mangal Singh, submits that the cancellation report is prepared and it would be submitted before the Trial Court, within a period of 15 days.

In view of the same, the petition is rendered infructuous, however liberty is granted to the petitioner to appear before the Trial Court/Illaq Magistrate as and when the cancellation report is submitted and avail alternative remedy in accordance with law as per Section 173 of Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

September 10, 2018
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No