

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

**CRM-M No. 22428 of 2018
DATE OF DECISION :- July 18, 2018**

Suresh Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Ms. Manpreet Ghuman, Advocate for the petitioner.

Complainant Suresh Rani had lodged an F.I.R. No. 355 dated 29.6.2010 for offences under Sections 376, 34 IPC with Police station Sadar, Patiala against Sant Parkash, Parmeshwar Dass Chela, Satya Devi and Joginder Kaur. That after registration of the F.I.R., the matter was investigated. The police did not find sufficient evidence so as to forward the accused to the Court to face trial and a closure report was prepared which was filed in the Court of Additional Chief Judicial Magistrate, Patiala, notice thereof was given to complainant Suresh Rani, who was then in custody and was produced in the Court. She had made a statement that she did not agree with the closure report submitted by the police and matter be re-investigated. The Additional Chief Judicial Magistrate accordingly rejected the request and in acceptance of the closure report sent the case back for further investigation to a competent officer. Even after re-investigation, enough evidence was not found to challan the accused. A

cancellation report was prepared, notice of which was given to the complainant, who appeared in the Court on 13.10.2015 and made a statement that she was fully satisfied with the findings of the cancellation report and she did not want to proceed further with the F.I.R. She pleaded no objection after the cancellation report submitted by the police was accepted. She had clarified that she is making statement in the Court without any pressure and coercion.

Vide order dated 1.6.2016, the cancellation report was accepted. Now the present case has been filed by the complainant for re-investigation on the plea that she had made a statement in the Court pleading no objection to acceptance of cancellation report under pressure and force. Since the cancellation report has already been accepted, there is no occasion to order re-investigation in such a manner. If aggrieved, the petitioner can take recourse to the other remedy available to her under law by way of filing proper complaint, if so advised.

There is no merit in the present petition, therefore, the same stands dismissed.

(H.S. MADAAN)
JUDGE

July 18 , 2018
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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No