

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2710-2019

DATE OF DECISION: JANUARY 21, 2019

BHUPINDER SINGH GILL @ BHUPINDER SINGH ...PETITIONER

VERSUS

STATE OF PUNJAB & OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. K.S. SIDHU, ADVOCATE FOR THE PETITIONER.

MANOJ BAJAJ, J.(ORAL)

The petitioner has filed this petition for quashing the FIR No.159 dated 9.10.2017, under Sections 186, 353 IPC, registered at Police Station Ajnala, District Amritsar. In the alternative, a prayer has been made to quash the order dated 28.3.2018 (Annexure P-5) passed by the trial Court whereby the trial Court has refused to accept the cancellation report (Annexure P-3) and has directed the police to investigate the matter.

In the considered opinion of this Court, the petition for quashing of the FIR is not maintainable at this stage, as originally, cancellation report was submitted, however, the Court has not accepted the same. The Court has noticed the fact that the cancellation is founded on compromise and rightly refused to accept the same. Likewise, the order dated 28.3.2018, also does not warrant any interference as the Court is satisfied that no investigation was done by police and has directed the police to conduct the investigation.

Since the matter is under investigation, therefore, the petition for quashing the FIR or the order dated 28.03.2018, is premature and resultanty, the petition is dismissed.

January 21, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No