

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-23170-2018

Date of decision: 16.08.2019

Amandeep Singh Gill

... Petitioner

Vs.

State of Punjab and Ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: None for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

SURINDER GUPTA, J

This is petition filed by Amandeep Singh Gill seeking direction to respondent no.2 to enquire into the complaint filed by him against Gurpreet Kaur and others and register a case against the delinquent officers for making addition/cutting and altering the report submitted by Deputy Superintendent of Police, Sub Division Shahkot District Jalandhar (Rural).

Learned State counsel submits that it is a matrimonial dispute between petitioner and his wife Gurpreet Kaur. Earlier an FIR was registered at Police Station Jagraon against the petitioner and his parents on the complaint of Gurpreet Kaur. Thereafter petitioner moved complaint relating to money dispute against his wife Gurpreet Kaur and her parents on the basis of which FIR No. 344 dated 25.9.2017 was registered at Police Station Phillaur, District Jalandhar for offence punishable under Sections 406/420 of IPC. After completion of investigation the police presented cancellation report in the court in which next date fixed is 28.8.2019. The complaint of petitioner has been enquired several times, firstly by Deputy Superintendent of Police, Jalandhar who gave his report dated 14.7.2017.

Deputy Superintendent of Police, Jalandhar had recommended registration of the FIR on the complaint with the observations that offence punishable under Section 406/420 read with Section 34 IPC is disclosed against the accused named in the complaint filed by the petitioner. He, however, recommended that before taking any further action, opinion of District Attorney (Legal) be taken. Thereafter, FIR No. 344 dated 25.9.2017 for offence punishable under Section 406/420 of IPC was registered at Police Station Phillaur on the complaint of petitioner.

After thorough investigation in that case, vide report dated 19.3.2018 signed by Station House Officer, Police Station Phillaur Jalandhar (Rural), Deputy Superintendent of Police, Phillaur and Senior Superintendent of Police, Jalandhar (Rural), cancellation report in the case was ordered to be filed. After filing of cancellation report, the petitioner had remedy to avail before the trial court and this petition has been rendered infructuous.

Keeping in view the fact that cancellation report in the FIR registered on complaint of petitioner has already been filed, the petitioner may appear before the trial court and avail appropriate legal remedy available to him.

This petition is disposed of with liberty to petitioner to appear before the trial court and avail the legal remedy available to him.

August 16, 2019

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**(Surinder Gupta)
Judge**

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