

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

250

**CRM-M-42956-2017 (O & M)
Date of Decision:14.05.2019**

SARWAN SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S. Khosa, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

Mr. Amandeep S. Saini, Advocate
for respondents No.4 and 5.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner for issuance of directions to official respondents for submitting cancellation/final report under Section 173 Cr.P.C. in case FIR No.83 dated 05.06.2017 under Sections 367/379-B/341/427/506/323/148/149 IPC registered at Police Station Sadar Fazilka.

Notice of motion in this petition was issued on 15.11.2017, however, pursuant to the same, no response, has been filed by any of the respondents.

Learned counsel for the petitioner contends that after commencement of investigation the accused persons were arrested and finally a cancellation report was prepared as is evident from Annexure P-2 i.e. an application regarding release of accused Madan Lal and Jasvir Singh

moved by the Police Officer before the Magistrate. Since the result of the investigation was already within the knowledge of the complainant, therefore, it was always open for him to avail the alternative remedy. It is pointed out that till date, no cancellation has been filed by the police.

Considering the above background, this Court does not find any valid reasons to invoke the inherent powers under Section 482 Cr.P.C., in view of the alternative remedy available to the petitioner/complainant.

Disposed off.

14.05.2019

sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No