

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

**Crl. Misc. No.M- 33772 of 2019 (O&M)
Date of Decision: September 12, 2019**

Ashok Kumar and others

.....PETITIONERS

VERSUS

State of Punjab and another

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Bhargava, Advocate
for the petitioners.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab

Ms. Arti Kaur, Advocate
for respondent No. 2.

SURINDER GUPTA, J.(Oral)

Learned State counsel on instructions from ASI Rajender Singh submits that after investigation, the incident was found to be false and cancellation report was prepared on 21.07.2008. However, despite their best efforts the cancellation report could not be traced.

The petitioners are seeking quashing of FIR No. 497 dated 24.12.2007 registered at Police Station Civil Lines, Amritsar on the basis of compromise.

As per submission of learned State counsel, the case has already been recommended for cancellation in the year 2008. No further action appears to have been taken in the matter. Though, the file of cancellation report is not traceable, I find no reason to keep the matter

pending any more. The same is ordered to be accepted as complainant also has no objection to the cancellation of the FIR. This petition is disposed of with the order that FIR No. 497 dated 24.12.2007 registered at Police Station Civil Lines, Amritsar for the offences punishable under Sections 353, 186, 160, 506 read with Section 34 of Indian Penal Code is deemed as cancelled.

However, Commissioner of Police, Amritsar is directed to conduct an enquiry as to why cancellation report was not submitted in the Court and the file is not traceable and take appropriate action under intimation to this Court on or before 31.03.2020.

(SURINDER GUPTA)
JUDGE

September 12, 2019

Jyoti-II

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***