

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

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**CRM-M-21135-2018 (O & M)
Date of Decision:03.05.2019**

KARNAIL SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner under Section 482 Cr.P.C. for issuance of directions to the official respondents No.1 to 4 for taking action against respondents No.5 to 8, who are accused in a cross case i.e. General Diary No.31 dated 19.01.2018 under Sections 308, 458, 323, 341, 427 and 34 IPC arising out of case FIR No.5 dated 18.01.2018 under Sections 458, 323 and 34 IPC registered at Police Station Cheema.

Para 4 of the reply on behalf of respondents No.1 to 4, filed by way of affidavit of Hardeep Singh, PPS, Deputy Superintendent of Police, Sub Division, Sunam dated 13.07.2018 reads as under:-

“That in view of the detailed facts mentioned hereinabove, the cross-case u/s 308/458/323/34 IPC (later on added offence u/s 302 IPC) has been found to have been got registered falsely by Karnail Singh (now

petitioner) by stating wrong facts, accordingly, a cancellation report has been prepared in this cross case on 8.7.2018 and the same is being submitted before the Court of Ld. Illaqa Magistrate.”

Learned counsel for the petitioner states that till date the cancellation report has not been filed. This fact is not disputed by the learned State counsel, who is assisted by HC Gurmit Singh.

In view of the above, the issue raised in this petition has been rendered infructuous in view of the reply dated 13.07.2018 filed on behalf of respondents No.1 to 4.

In view of the above, nothing survives for adjudicating the issue involved in the petition on merits as the petition has been rendered infructuous. However, it is directed that the final report/cancellation report in cross case be filed before the Competent Court expeditiously but not later than four weeks from today.

The petitioner is at liberty to take recourse to the alternative remedies as may be available to him in accordance with law.

03.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No