

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-43854 of 2019

Date of Decision: 14.01.2020

Ajit

...Petitioner (s)

Versus

State of Haryana & others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Manoj Kumar Sharma, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 of the Code of Criminal Procedure, 1973 is for quashing of FIR No.152 dated 02.04.2019 (Annexure P-1) under Sections 363/366 IPC registered at Police Station Gohana City, Gohana, District Sonapat.

The aforesaid FIR was registered at the behest of mother of respondent no.2 – Jyoti. As per the FIR, on 01.04.2019, the complainant along with her husband and children went to sleep after having their dinner. When she woke up at 6-00 A.M. next day, she did not find her daughter – Jyoti at home. Therefore, a search was made in the neighborhood, from where, they came to know that Surajbhan son of Shish Ram, whose house is near their house, the petitioner Ajit was also not present at home. It was

suspected that the petitioner might have enticed away the daughter of the complainant.

At this stage, learned State counsel, on instructions from SI Krishan Chander, submits that in the aforesaid FIR, police has conducted investigation and prepared cancellation report, which is pending consideration for approval before the senior officers for onward presentation to the Court.

In view of the aforesaid development, when the police has already prepared cancellation report in the present case, this Court finds that the present petition is rendered infructuous.

Accordingly, the present petition is dismissed as infructuous.

However, in case the cancellation report so prepared by the police is not accepted by the Court, the petitioner would be at liberty to file fresh petition.

January 14, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No