

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.1683 of 2021
Date of Decision : 13.01.2021

Gurwinder Singh and others ...Petitioners

Versus

State of Punjab and anotherRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. J.K. Puri, Advocate for the petitioners.
Mr. Hittan Nehra, Addl. A.G., Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Prayer in the petition under Section 482 Cr.P.C. is for quashing of FIR No.105 dated 29.06.2012, registered under Sections 323, 324, 148 and 149 IPC at Police Station Maqsudan, District Jalandhar City, Punjab, along with all consequential proceedings arising thereto on the basis of compromise (Annexure P-1).
3. Notice to respondent No.1 only.
4. Mr. Hittan Nehra, learned Addl. AG, Punjab, accepts notice on behalf of respondent No.1 and on instructions from ASI Vijay Kumar, Police Station, Maqsudan, District Jalandhar (Rural), Punjab, states that cancellation report was prepared by SHO Inspector Jaimal Singh of Police Station Maqsudan, District Jalandhar (Rural), Punjab on 03.10.2012 but the same has not been submitted before the learned trial Court till date but in case, time is granted by this Court, the same would be filed before the learned trial Court within 02 weeks from today.
5. The same satisfies learned counsel for the petitioners, who states that in the circumstances, he does not press the instant petition under Section 482 Cr.P.C. and the same may be disposed of, as such.
6. In view of the position as noted above, the instant petition is

Jalandhar (Rural), Punjab, to ensure filing of the cancellation report dated 03.10.2012 before the learned trial Court, in accordance with law, within a period of 02 weeks from today.

7. Needless to mention, in case, the needful is not done within the stipulated period of time, the petitioners would be at liberty to move an application, for enforcing compliance, in accordance with law.

8. Before parting with the orders, this Court expresses strong disapproval qua non filing of cancellation report, despite lapse of number of years and in view thereof the DGP, Punjab is directed to take appropriate action in the matter for fixing responsibility qua non filing of the cancellation report before the learned trial Court, despite the decision having been taken in the matter way back on 03.10.2012, as also to ensure that directions are issued to all concerned to take appropriate action in a time bound manner on a decision having been taken in any case to submit an untraced/cancellation report before the Court concerned in future.

9. Compliance report with regard to directions to the DGP, Punjab, be submitted to this Court within 06 weeks from today.

(B.S. Walia)
Judge

January 13, 2021
'Rajneesh'

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