

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

201

**CRM-M-9994 of 2021
Date of Decision:29.04.2021**

Ashok Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Narinder Singh Dadwal, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 08.03.2021, the following order had been passed by this court:-

“By this petition, the petitioner seeks quashing of FIR no.0242 dated 19.12.2020, registered at Police Station Division no.2, District Ludhiana, for the alleged commission of an offence punishable under Section 346 of the IPC, as also all other subsequent proceedings arising therefrom.

Learned counsel for the petitioner submits that in fact the FIR in question was got registered at the statement of the petitioner himself, i.e. he is the complainant; but now his daughter having been traced out, he does not wish to pursue criminal proceedings; but the police is summoning him and his daughter time and again to the police station, and therefore he seeks quashing of the FIR itself.

Learned counsel, upon query, submits that in fact the petitioners' daughter went to live with a relative without informing him.

Notice of motion.

Mr. Ramdeep Partap Singh, learned DAG, Punjab, accepts

notice at the asking of the court on behalf of the respondents.

Adjourned to 29.04.2021.

A gazetted officer is directed to file a reply to the petition.

In the meanwhile, the petitioners' daughter shall appear before the learned Area Magistrate, Ludhiana, for recording her statement with regard to the FIR registered, within 10 days.

It is made clear that she would not be accompanied by her father at the time that she makes her statement.

The learned Area Magistrate would send his/her report alongwith the statement, before the next date of hearing.

Further proceedings in the FIR would remain stayed till the next date of hearing before this court.”

Today learned State counsel submits that he has taken instructions that in fact a cancellation report has been prepared and will be filed shortly before the competent court.

Upon query as to why the petitioner was then being harassed, he submits that as per his instructions there is no such harassment and that the statement of the daughter of the petitioner was recorded on 17.03.2021.

That being so, this petition has been rendered infructuous and is disposed of as such, but with it made clear that the petitioner would not be summoned by the respondents unless there is a genuine ground for doing so and that the Commissioner of Police, Ludhiana, shall ensure that the needful is done, with him also to look into any grievance of the petitioner and take action upon any unnecessary harassment.

April 29, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No