

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.33496 of 2021(O&M)

Date of Decision:18.08.2021

(Heard through VC)

Mangal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manish Prabhakar, Advocate
for the petitioner.

Mr. A.S. Gill, Sr.DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 482 Cr.P.C. for giving direction to respondents No.1 to 5 to take action on FIR No.176 dated 02.09.2019 registered under Sections 452, 354-B, 323, 148 and 149 IPC registered at Police Station Chattiwind, District Amritsar Rural, with further prayer to direct respondents No.1 to 5 to protect life and liberty of the petitioner and his family members from the hands of respondents No.6 to 12.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner had got an FIR registered on the ground that the accused persons had attacked him and his wife. Apart from causing injuries to the wife, her clothes were torn as well, however, as the investigation was not conducted properly, a cancellation report was filed, which was not accepted by the Court on first statement and the matter has been sent back for re-investigation.

Counsel for the petitioner would further submit that even now proper investigation is not being done in the said matter and prays for a

direction to be issued to respondents No.1 to 5 to take appropriate action on the said FIR.

Notice of motion to official respondents only.

Mr. A.S. Gill, Sr. DAG, Punjab, who is present through the medium of video conferencing, accepts notice on behalf of the respondent-State and would submit that the matter was thoroughly investigated and as per cancellation report allegations were found to be incorrect. Consequent to which a cancellation report was filed and on a statement given by the petitioner herein that he was not satisfied with the cancellation report, the matter has been re-investigated and a fresh cancellation report has been prepared, which would be submitted in court shortly.

I have heard learned counsel for the parties and find that there is no ground to pass any direction to the official respondents to take action on FIR No.176 dated 02.09.2019 registered under Sections 452, 354-B, 323, 148 and 14 IPC registered at Police Station Chattiwind, District Amritsar Rural, considering the fact that the matter has already been investigated twice and no merit has been found in the allegations as made out in the FIR, which has resulted in preparation of a cancellation report. Needless to say that the petitioner herein would always be at liberty to challenge the cancellation report as and when the same is presented.

The instant petition stands disposed of with above observation.

(JAISHREE THAKUR)
JUDGE

August 18, 2021
P.Bhatt/Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No