

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

CRM-M-31922-2020

Date of decision: February 16, 2021

Jarnail Singh and others

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Sandhu, Advocate
 for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.
(through video conferencing).

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for quashing of the FIR No.365 dated 4.10.1999 under Sections 13-A of the Punjab Village Common Lands Regulation Act, 1961 and Section 4 of the Scheduled Caste and Scheduled Tribes Protection Act, 1994 and Sections 432, 355, 447, 506, 148, 149 IPC (Added later on), registered at Police Station Samana, District Patiala.

Reply by way of affidavit of Deputy Superintendent of Police Circle Samana, District Patiala is filed in the Court and as per the reply, a cancellation report was prepared on 2.8.2000, however, the same was not filed before the Illaqua Magistrate. It is further stated in the affidavit that on account of the negligence by the concerned police official, namely, HC Jai Pal Singh (now ASI), departmental action has been recommended by the Deputy Superintendent of Police, Samana, District Patiala.

It is further stated that again on 21.1.2021, a cancellation report was prepared and submitted before the Illaqua Magistrate and the Illaqua Magistrate has given a notice to complainant-Kaka Singh, who appeared and made a statement that he want to contest the same. The case is now fixed for 23.2. 2021 before the Illaqua Magistrate for further action.

In view of the same, the counsel for the petitioner submits that this petition may be rendered infructuous, at this stage, to avail his remedies before the trial Court, in accordance with law.

Ordered accordingly.

February 16, 2021
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No