

**108/s IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-35237-2020

Date of Decision:11.02.2021

Arman Khan

.....Petitioner

Vs.

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. M.D.Khan, Advocate,
 for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Ms.Rosi, Advocate,
for respondent no.5.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

On November 25, 2020, the following order had been passed in
this petition:-

“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, quashing of FIR No. 0079, dated 18.07.2020, is sought, registered against the petitioner at Police Station Satnali, District Mahendergarh, for the alleged commission of an offence punishable under Section 346 of the IPC.

Even prior to notice of motion having actually been issued, learned State counsel submits that he has received instructions to the effect that in fact a cancellation report has been prepared by the SHO concerned, which awaits approval of the competent authority.

It is further noticed that Ms. Rosi, Advocate, appears for respondent no. 5 and submits on a query of this court that the said respondent has attained the age of majority and has married the petitioner of her own free will and therefore is supporting the petition seeking quashing of the FIR.

Notice of motion is therefore ordered to be issued to respondent no. 4, with respondents no. 1 to 3 and 5 obviously having waived formal notice.

The notice issued would be returnable on 25.01.2021.

The Superintendent of Police, Mahendergarh, is directed to get the affidavit of a gazetted officer filed, stating

therein as to whether the cancellation report has been approved or not, also stating therein the age of the petitioner and respondent no. 5 (stated to be the wife of the petitioner in respect of whose alleged disappearance, the FIR has been registered).”

None having appeared for the petitioner on 25.01.2021, as it was past court hours by the time turn of the case came up, hearing had been adjourned till today.

In the reply filed on behalf of the respondent State it has been stated that in fact a cancellation report *qua* the FIR that is sought to be quashed, had been prepared by the investigating agency, with learned State counsel today submitting that as per his instruction it has also now been submitted to the competent court on 11.01.2021.

Learned counsel for the petitioner submits that that being so, this petition has actually been rendered infructuous.

Disposed of as such.

February 11, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO

Whether Reportable : YES/NO