

CRM-M-1015-2021

Date of Decision : 11.01.2021.

Shashi Bhushan

...Petitioner

Versus

State of Punjab

....Respondent

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

Present : Mr. N.S. Minhas, Advocate for the petitioner.

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.201 dated 20.10.2018, registered under Sections 383 Indian Penal Code, 1860 and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Garhshankar, District Hoshiarpur, along with all consequential proceedings arising thereto, on the basis of compromise, Annexure P/2 dated 25.10.2018.

3. Notice of motion.

4. Mr. Hittan Nehra, Addl. AG, Punjab, accepts notice on behalf of the respondent and states that SHO, Narinder Kumar of Police Station Garhshankar, District Hoshiarpur, had prepared cancellation report dated 06.11.2018 which was approved by the Senior Superintendent of Police, Hoshiarpur on 19.01.2019 but the same has not been filed in Court but in case two weeks is granted, the same would be filed before the

5. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out to file the cancellation report, before the learned trial Court, within two weeks from today, he does not press the present petition at this stage and the same may be disposed of by directing the Senior Superintendent of Police, Hoshiarpur, to file the cancellation report in case FIR No.201 dated 20.10.2018, registered under Sections 383 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Garhshankar, District Hoshiarpur, before the learned trial Court.

6. While disapproving of the delay in filing of the cancellation report and directing the official respondents to ensure that in future cancellation report prepared in any case is filed expeditiously, the instant petition is disposed of in the light of the position noted in the preceding paragraphs as well as statement of learned counsel for the petitioner as not pressed at this stage while directing the Senior Superintendent of Police, Hoshiarpur, to ensure filing of the cancellation report in case FIR No.201 dated 20.10.2018, registered under Sections 383 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Garhshankar, District Hoshiarpur, before the learned trial Court, within two weeks from today. Needless to mention, if the circumstances of the case so warrant, it would be open to the petitioner to take out appropriate proceedings in accordance with law against orders passed by the learned trial Court on the cancellation report.

7. Petition disposed of with the aforesaid directions.

11.01.2021

'rajesh-ps'

Whether speaking/ reasoned

Whether reportable

:

:

Yes/No

Yes/No

(B.S. Walia)

Judge