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

CRM-M-48086-2021

Date of decision: 16.11.2021

DALJEET SINGH VIRK AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr.R.S. Randhawa, Advocate
for the petitioners.

Mr.Kirat Singh Sidhu, DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1) FIR No.2 of 04.01.2021, is registered at Police Station Rania District Sirsa, therein offences under Sections 323/34/427/506 of IPC are embodied, and, the petitioners are named therein as accused.

2) Through the instant petition the learned counsel for the petitioners seeks quashing of the FIR supra. He submits that the implication of the accused is completely false and frivolous. Moreover, he continues to submit, that the implication of the petitioners, as accused in the FIR supra, is at the behest, and, at the direction of powerful political big-wigs, who, are intending to through the lodging of the apposite FIR hence wreak political vendetta against the petitioners.

3) *Prima-facie* at this stage the afore made submissions, does hold some vigor in the face of learned State counsel, submitting that after completion of investigations by the investigating officer concerned, into FIR supra, a closure report has been prepared, and, submitted to Superintendent of Police, Sirsa.

Since the Superintendent of Police, Sirsa is seized of the report presented, before him by the investigating officer, wherein a proposal is carried for being put forth before the learned Magistrate concerned, hence for canceling the FIR, as no incriminatory offence, is found to be committed by the petitioners vis-a-vis FIR supra. Therefore, the investigating officer concerned, who, if has conducted fair and impartial investigation, thereupon his above proposal, as forwarded to the Superintendent of Police, Sirsa, may after application of mind, become to be accepted, and, endorsed by the latter, rather within the two weeks hereafter. Consequently, the closure report as finalized, with the deepest application of mind, by the Superintendent of Police, Sirsa, may be forthwith, presented before the learned Judicial Magistrate concerned, for the latter after hearing the objections concerned, proceeding to make lawful orders in respect of his accepting or rejecting the closure report, as is, preferred before him.

4) In case the petitioners are aggrieved against the rejection of the closure report rather by the Magistrate concerned, thereupon it is open to them to approach the appropriate Court, in accordance with law.

5) Disposed of.

(SURESHWAR THAKUR)
JUDGE

16.11.2021

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Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No