

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

264

CRM-M-11221-2021

Date of Decision: 25.05.2022

ROHIT BADHAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. M.S. Saini, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for seeking quashing of FIR No.180 dated 25.10.2017 under Sections 3, 4, 5 and 7 of Immoral Traffic (Prevention) Act, 1956 registered at Police Station Sadar Hoshiarpur, District Hoshiarpur and all consequential proceedings arising therefrom.

Notice of motion was issued on 10.03.2021.

The reply by way of an affidavit of Parvesh Chopra, PPS, Deputy Superintendent of Police Sub Division City, District Hoshiarpur is already on file. Copy of the same has been furnished in advance to the learned counsel for the petitioner.

It has been averred in the said reply that the investigation of the case was marked to Balbir Singh, the then Superintendent of Police, Hoshiarpur and upon enquiry, he found that all the couples, who were apprehended from the room of the hotel, were boy friends and girl friends of each other. Accordingly, cancellation report was recommended. It is further submitted that upon submission of the cancellation report, the Additional Chief Judicial Magistrate, Hoshiarpur did not accept it and returned the same for further investigation vide order dated 22.12.2020. Learned counsel further submitted that after completion of the investigation, the report shall be furnished afresh.

Taking into consideration that a cancellation report had earlier been recommended and an order for further investigation had been passed by the Addl. Chief Judicial Magistrate, Hoshiarpur, pursuant to which, further investigation is still pending, it does not seem appropriate to pass any order at this stage.

In view of the above, learned counsel for the petitioner prays for withdrawal of the instant petition at this stage with liberty to raise all such pleas before the trial Court at appropriate stage.

Dismissed as withdrawn at this stage, with the liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

25.05.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No