

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 14492 of 2022
Date of Decision: 07.4.2022**

Sarabjit Kaur and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Rajnish K. Gupta, Advocate
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Since the learned State counsel, on instructions given to her by ASI Gurpreet Singh, submits, that though the investigating officer concerned, with respect to FIR No. 0120 dated 15.12.2018, registered at Police Station Bhadson, District Patiala, constituting therein an offence under Section 365 IPC, had filed a cancellation report, before the learned Magistrate concerned. However, yet the cancellation report, as became preferred, has not been accepted by the learned Magistrate concerned, rather, the latter has proceeded to order for further investigations being made into the FIR (supra).

2. Therefore, since the remedy of the petitioners herein, is to make a challenge to order (supra), as made by the learned Magistrate concerned. Consequently, the present petition, for all the above reasons, seeking relief of quashing of the above FIR, cannot survive, and, is disposed of as such.

3. However, obviously liberty is reserved, as stated (supra), to the petitioners, to challenge the order, as made by the learned Magistrate concerned, wherethrough the cancellation report became rejected, and,

thereafter he ordered for further investigations, being made into the FIR (supra).

4. Disposed of.

(SURESHWAR THAKUR)
JUDGE

April 07, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No