

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

CRM-M-13019-2019 (O&M)

Date of decision: 12.12.2022

Palvinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Pradeep Panwar, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

By way of the present petition, filed under Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No. 94 dated 04.06.2011, registered under Sections 447, 511, 427, 506 of the IPC at Police Station Dakha, District Ludhiana (Rural).

While issuing notice of motion on 20.03.2019, it was noticed that despite the fact that the FIR pertains to the year 2011, the report under Section 173 Cr.P.C. has not been submitted.

On the last date of hearing, the Senior Superintendent of Police, Ludhiana (Rural) was directed to remain present before this Court along with an affidavit to explain the delay in completion of investigation.

In pursuance thereof, Mr. Harjit Singh, IPC, Senior Superintendent of Police, Ludhiana (Rural) is present in Court along with an affidavit. The said affidavit is taken on record. In the affidavit, it is stated that the FIR in question has been recommended for cancellation in 2012 itself,

however, the Investigating Officer has not submitted the cancellation report before the Illaqua Magistrate. It is further stated that on his directions, the Investigating Officer has now submitted the cancellation report before the Illaqua Magistrate on 09.12.2022.

In view of the above, learned counsel for the petitioner submits that this petition may be disposed of at this stage, with liberty to petitioner to approach the trial Court, in accordance with law.

Disposed of with liberty as prayed for.

The petitioner will also be at liberty to file a fresh petition, if so required.

12.12.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No