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

CRM-M-17341-2021

Date of decision:10.05.2022

JAGATPAL

...Petitioner

Versus

STATE OF HARYANA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Hakam Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. J.S. Thind, Advocate
for respondents No.6 to 20.

SURESHWAR THAKUR, J. (ORAL)

1. In the instant petition, constituted under Section 482 of Cr.P.C., the petitioner makes a prayer for a mandamus being made, upon the respondents concerned, to hold fair, and, untainted re-investigations into FIR No.27 of 23.01.2020, registered at Police Station Sadar Dabwali, District Sirsa, and, also a further prayer is made therein, for the investigation being transferred to a police agency outside district Sirsa, as the investigations are being conducted under the influence of the accused, who are averred to be wielding immense clout.

2. The above made prayer, subject to evidence being adduced before this Court, in support thereof may become allowed, by this Court but yet only when the investigations are pending or are underway. However, if the investigations into FIR (supra), stand concluded, and, have resulted in the institution of a cancellation report in respect thereof, before the learned trial Magistrate concerned, thereupon, the only remedy, as available to the aggrieved

is comprised in his filing a protest petition against the acceptance of the cancellation report, by the learned Magistrate concerned.

3. Since it is stated at the bar, by the learned State counsel, that after completion of investigations into FIR (supra), the investigating officer concerned, has instituted a cancellation report before the learned Magistrate concerned, thereupon, since afore stated the investigations are concluded, and, when hence, the afore espoused prayer cannot be granted to the petitioner, rather when as stated above, the only remedy available to the petitioner, is to file a protest petition against the acceptance of the cancellation report, before the learned Magistrate concerned.

4. Therefore, with the afore liberty, the petition is closed, and, is disposed of as such.

(SURESHWAR THAKUR)
JUDGE

10.05.2022

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