

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

279

**CWP-11046-2022
Date of Decision: 16.11.2022**

KARNAIL SINGH

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Surinder Singh Siao, Advocate
for the petitioner.

Mr. Sanjay Sabharwal, Addl. A.G., Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents No.2 and 4 to take appropriate action against SIT form by respondent No.4 for non-investigation of FIR No.142 dated 20.09.2020 (wrongly mentioned as 20.09.2022) under Sections 353, 188, 186, 332, 224, 506, 148, 149 and 269 of the Indian Penal Code, 1860 and Section 51 of the Disaster Management Act, 2005 and Section 3 of Punjab Property (Prevention of Damage) Act, 1985, registered at Police Station Payal.

Further prayer has been made for issuing directions to respondents to submit the final report in the aforesaid FIR.

Status report by way of an affidavit of Harsimrat Singh, PPS, Deputy Superintendent of Police, Sub Division Payal, Police District Khanna, District Ludhiana has been filed, as per which the SIT has been cancelled by the Senior Superintendent of Police, Khanna and S.H.O. Police Station Payal

has conducted the investigation in this case and vide his report dated 23.07.2022, the investigating officer has declared the respondent No.5 as innocent and the said report has also been approved by the Senior Superintendent of Police, Khanna i.e. respondent No.2 on 26.07.2022.

In view of the above, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to take recourse to the alternative remedies available to him in accordance with law.

Dismissed as withdrawn with the liberty as aforesaid.

16.11.2022
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(VINOD S. BHARDWAJ)
JUDGE