

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

**CRM-M-24888-2022
Decided on: 10.11.2022.**

VISHAL AND ANOTHERPETITIONERS

VERSUS

STATE OF HARYANA AND OTHERSRESPONDENTS

CORAM HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr.Alok Mittal , Advocate
for the petitioners.
Mr. Chetan Sharma, AAG, Haryana.

SANDEEP MOUDGIL,J(ORAL)

Replication to the affidavit filed by Deputy Superintendent of Police,
Hodal, District Palwal is taken on record along with Annexures A1 to A4.

During the course of hearing, it has been brought to the notice of this
Court that the cancellation report has been prepared on 01.07.2022 in the present
FIR but the same has not been submitted to the Court, so far.

Learned counsel for the petitioners though vehemently contends that
the investigation is faulty wherein one of the eye witnesses namely Lakhan Lal,
who happens to be the uncle of the complainant has not been examined by the
prosecution as is evident from the affidavit filed by the DSP, Hodal, Distt. Palwal
dated 03.08.2022.

Be that as it may, the cancellation report has been prepared and is
ready to be submitted to the Court whereas all the pleas raised before this Court
will be available to the petitioners at the time they are served with a notice of that
cancellation report for acceptance or rejection by the court below.

In view of the above stated peculiar facts and circumstances of the
case, this Court does not deem it fit and appropriate to intervene at this stage
exercising discretionary power under Section 482 Cr.P.C for further ordering any
re-investigation / further investigation in the matter.

However, petitioners will be at liberty to take all such pleas before

the Magistrate / trial Court, at the time when the cancellation report is filed by the police.

Disposed of in the above terms.

10.11.2022
mamta

(SANDEEP MOUDGIL)
JUDGE

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