

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

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CRM-M-28145-2022
Date of Decision: 06.07.2022

JATUN AND ANR.

....PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Manoj K.Sharma, Advocate
for the petitioners.

Mr. Harpreet Singh Multani, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Since the learned State Counsel submits, that after the makings of investigations into the petition FIR bearing No. 151 dated 10.09.2021, registered at Police Station Bullowal, Hoshiarpur, District Hoshiarpur, constituting therein, offences under Sections 323/365 IPC, the investigating officer concerned, has proceeded to institute a cancellation report, before the learned Magistrate concerned. Therefore, the grievance, if any, as ventilated before this court, by the learned Counsel for the petitioners, that the exoneration by the investigating officer, of the incriminatory participation of the accused, in the petition FIR, is ill founded, cannot be either addressed before this Court, nor it can be either accepted or rejected by this Court. The reason for forming the above conclusion, becomes rested upon the factum, that the above arguments can be made only in a protest

petition, instituted before the learned Magistrate concerned.

2. In the wake of the above, the learned Counsel for the petitioners seeks leave to withdraw the present petition.

3. Leave granted.

4. Consequently, the extant petition is dismissed as withdrawn, but with liberty reserved to the petitioners, to make a protest before the learned Magistrate concerned, against the acceptance of the cancellation report, as is instituted before him, by the investigating officer concerned, in respect of the petition FIR.

(SURESHWAR THAKUR)
JUDGE

06.07.2022
kavneet singh

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