

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

247

CRM-M-37411-2020 (O&M)

Date of Decision: 06.05.2022

VIPINPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

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

Present: None for the petitioner.

Ms. A.K. Khurana, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Instant petition has been filed under Section 482 of Code of Criminal Procedure, 1973 for seeking quashing of FIR No.308 dated 17.10.2018 under Sections 304-A of the Indian Penal Code, 1860 and Section 27-54-59 of the Arms Act, 1959 registered at Police Station Sadar Jagraon, Ludhiana and all consequential proceedings arising therefrom in view of the cancellation report dated 05.07.2019.

Short reply by way of Jatinder Jit Singh, PPS, Deputy Superintendent of Police, Jagraon, District Ludhiana has been filed. The relevant extract thereof is reproduced as under:

“4. That after re-investigation the SSP Ludhiana (Rural) has agreed for presenting the cancellation report in the court again. The SSP Ludhiana (Rural) has signed request No.446/VRK dated 22.09.2020 with the request to Ld. Illaqa Magistrate Jagraon to accept the cancellation Report. This cancellation report is still to be presented in the court.

5. *That the police has conducted investigation of this case in detail twice. As per the investigation of the police the Petitioner is found innocent in this case. The deceased was mother of the Petitioner and wife of the complainant. The complainant himself has stated in the court that his son Petitioner is innocent and he has no objection if cancellation report submitted by the police is accepted.”*

Considering that a cancellation report has already been prepared and is likely to be submitted before the Illaqa Magistrate, it would not be appropriate for this Court to issue any direction and it would be open to the parties to approach the Illaqa Magistrate for acceptance of the cancellation report or to take recourse to such appropriate remedies that are available to them in accordance with law.

Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

06.05.2022
rajender

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