

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

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CRM-M-40388-2020 (O&M)

Date of decision: 11.11.2022

Jagjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: None for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition is for issuance of direction to respondent No.2 to direct respondent Nos.3 and 4 to file the final report under Section 173 Cr.P.C. after conducting the fair investigation in case bearing FIR No. 51 dated 19.08.2019 registered under Sections 323, 324, 341, 326 IPC and Section 34 IPC at Police Station Sadar Pathankot, against respondent Nos. 5 to 8 as they have given grievous injuries to the petitioner and other persons.

Reply by way of affidavit dated 06.07.2021 of the Superintendent of Police (Investigation), Pathankot and reply by way of affidavit dated 06.07.2021 of Assistant Superintendent of Police, Rural, Pathankot, already filed in the Registry are taken on record.

Learned State counsel points out that as per the aforesaid reply, the inquiry was conducted thoroughly and the opinion of the Doctor was also sought. As per the opinion of the Board of Doctors, possibility of injury No.1 being self suffered cannot be ruled out as is on non-vital part of the body. Post fair and impartial inquiry, it was found that the FIR in question has been lodged on the wrong fact, the cancellation report was filed before the learned Illaqa Magistrate on 25.01.2021.

Since the cancellation report has been filed before the learned Illaqa Magistrate, no further order is called for in the present petition.

The petition is dismissed.

(HARNARESH SINGH GILL)

JUDGE

11.11.2022

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No