

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

244

**CRM-M-38029 of 2019
Date of Decision:02.08.2022**

Baljit Kaur

---Petitioner

versus

State of Punjab and others

---Respondents

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

Present: Mr. Sukhjit Singh, Advocate
for the petitioner

Mr. Karanbir Singh, AAG, Punjab

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition filed under Section 482 of the Code of Criminal Procedure (hereinafter referred to as 'CrPC') is for seeking issuance of direction to complete the investigation and file a final report under Section 173 CrPC in case bearing FIR No. 05 dated 22.01.2014 under Sections 452, 427, 506, 148 and 149 of the Indian Penal Code, registered at Police Station Hathur, District Ludhiana (Rural) and for issuance of direction to respondents No. 2 and 3 to file the status report in the abovesaid case.

A Short reply by way of affidavit of Sandeep Goel, PPS, Senior Superintendent of Police, District Ludhiana (Rural) on behalf of the Respondent-State has been filed. As per the said reply, cancellation report has already been filed. A relevant extract of the said report is reproduced as under:-

“2. That in compliance with above mentioned orders of the deponent, DAP Raikot has conducted inquiry and on that it

was found that Constable Jagdeep Singh No. 1015/LDH (Rural) has received the cancellation report, but did not hand over the same to any other official for taking further action. So constable Jagdeep Singh was found negligent in performing his duty and he recommended disciplinary action against him. The DSP Raikot has also recommended to prepare cancellation report. He also recommended to prepare fresh cancellation report. The DSP Raikot submitted his report on 01.10.2019 to the deponent. The inquiry report of the DSP Raikot has been approved by deponent.

3. *That departmental inquiry has been initiated against Constable Jagdeep Singh No. 1015/LDH (R) for performing duty in negligence. Secondly fresh cancellation report has been prepared under Section 173 CrPC. The same has been submitted in the Court of Learned Illaqa Magistrate, Jagraon on 03.10.2019. This is brought to the notice of this Hon'ble Court in compliance with orders dated 23.09.2019 passed by this Hon'ble Court."*

Learned State counsel states that the cancellation report is under adjudication with the Illaqa Magistrate and the next date is fixed for 28.08.2022.

Learned counsel appearing for the petitioner seeks permission to withdraw the instant petition with liberty to take all pleas before the Illaqa Magistrate concerned.

Dismissed as withdrawn with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

02.08.2022

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No