

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

107

CRM-M-54467-2021

Date of Decision : 05.01.2022

Prempal

...Petitioner

Versus

State of Haryana and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed by the petitioner seeking direction to respondents No.1 to 3 to hand over the investigation in respect of FIR No.155 dated 21.08.2021 registered under Sections 380 & 454 of the IPC at Police Station Jhansa, District Kurukshetra to higher authorities not below the rank of Superintendent of Police and also to complete the investigation in the said FIR as soon as possible.

From the pleadings it transpires that the petitioner has already brought the said grievance to the notice of respondent No.3- Superintendent of Police, District Kurukshetra by way of filing a representation dated 10.12.2021 (Annexure P/8), which according to the pleadings is still pending consideration with the said respondent.

Notice of motion.

Mr. Gaurav Bansal, AAG, Haryana, who has joined the

proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel submits that after due investigation in the FIR in question, the State has already decided to cancel the FIR and the report as envisaged under Section 173 of the Cr.P.C will be submitted before the competent Court of law within a period of four weeks in case the same is verified by the higher authorities.

Keeping in view the above, as the petitioner has already raised the grievance qua the investigation in the FIR in question before the respondent No.3-Superintendent of Police, District Kurukshetra by way of filing a representation dated 10.12.2021 (Annexure P/8) and the cancellation report is yet to be approved by the said authority, the present petition is disposed of with a direction to the said authority that while passing appropriate orders on the opinion of the Investigating Agency for submitting cancellation report, the grievance raised by the petitioner in representation dated 10.12.2021 (Annexure P/8) be also kept in mind.

January 05, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No