

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

**CRM-M-5144-2023
Date of decision : 01.02.2023**

Gurmej Singh and othersPetitioners

versus

State of Punjab and another Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Harchand Singh Batth, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Petitioners have approached this Court for quashing of FIR No.33 dated 11.05.2021, under Sections 306, 34 of IPC, registered at Police Station Khalra, District Tarn Taran along with consequential proceedings arising out of the FIR.

Learned counsel for the petitioners *inter alia* contends that the prosecution of the petitioners in the present case is nothing but an abuse of the process of the Court. He has submitted that the statement of complainant was recorded under Section 164 Cr.P.C. wherein he deposed that he does not want to pursue the FIR. He submits that twice the cancellation report has been filed by the investigating agencies but the same is returned by the JMIC for re-investigation. He submits that now it is the third time and the case is again pending re-investigation.

Notice of motion.

On asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of the respondent-State. He has submitted that though the cancellation report was filed, however, learned JMIC sent it back for re-investigation and hence, the case is pending investigation.

After hearing counsel for the parties, the present petition is disposed of with direction to the investigating agencies to conclude the investigation within a month and submit the conclusion report before the Court of competent jurisdiction. Petitioners are at liberty to pursue their remedies as available to them under law.

01.02.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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