

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-11186-2023

Date of decision : 21.03.2023

Himanshu

Petitioner

V/S

State of Punjab and another

Respondents

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Anuj Garg, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.344 dated 24.12.2018 registered under Sections 341, 323, 506 of the Indian Penal Code, 1860 at Police Station Civil Lines Patiala.

Learned counsel for the petitioner submits that the parties have already compromised the matter and cancellation report has been prepared by the Investigating Agency but learned Illaqa Magistrate has not accepted the same as the complainant/respondent No.2 has permanently gone abroad and he is not present before the Court for recording his statement.

Notice of motion restricted to respondent No.1-State only at this stage.

On the asking of the Court, Mr. Joginder Pal Ratra, Senior D.A.G., Punjab, who is present in the Court, has accepted notice on

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behalf of respondent No.1-State and on instructions from ASI Karamjit Singh, submits that the cancellation report has already been prepared by the police which is likely to be submitted before learned Illaqa Magistrate very soon.

In view of statement made by learned State counsel, the present petition is disposed of with a direction to the police to submit the cancellation report before the Illaqa Magistrate within 10 days from today and the Illaqa Magistrate shall make an endeavour to ensure the presence of the complainant by issuing court notice to him.

21.03.2023

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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No