

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

286

CRM-M-13229-2023 (O&M)

Date of decision: 17.08.2023

Rachhpal Singh and another

..Petitioners

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Narinder Singh Dadwal, Advocate for the petitioners.
Mr. Adityakapoor, AAG, Punjab.

AMAN CHAUDHARY, J

1. The present petition has been filed for quashing of FIR No.150, dated 12.07.2010, registered under Sections 306, 34 IPC at Police Station Sidhwan Bet, District Ludhiana Rural and all other consequential proceedings arising therefrom.

2. Learned State counsel has produced a copy of order dated 24.04.2023 and submits that Judicial Magistrate Ist Class, Jagraon has not accepted the cancellation report and sent back to the investigating agency with a direction to re-investigate the matter. The said order reads thus;

Heard. Documents perused. Perusal of file reveals that investigating agency has presented the cancellation report on the ground that Sukhwinder Singh died due to sudden setting on fire while heating milk on gas but complainant has concocted a false story qua illicit relationship of Baljit Kaur and Rachhpal Singh. Perusal of file also reveals that present case has been registered against accused Baljit Kaur and Rachhpal Singh for abetting Sukhwinder Singh to commit suicide by setting him on fire. Perusal of file also reveals that complainant Gurmail Kaur has already got recorded her statement qua dis-agreement with cancellation report presented by the investigating agency. Since, complainant has specifically levelled allegations qua

abetment against accused persons for suicidal demise of Sukhwinder Singh and has showed her dis-agreement with the cancellation report presented by investigating agency, as such, investigating agency should require to investigate the matter thoroughly. Therefore, cancellation report can not be accepted. Accordingly, police file be sent back to the investigating agency with a direction to re-investigate the matter and to submit the report within three months. Judicial papers be separated and consigned to record room.

3. In view of the above, learned counsel for the petitioners prays for withdrawal of the present petition at this stage.
4. Ordered accordingly.

17.08.2023
Ankur

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No