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

CRM-M-15048-2019 (O&M)

Date of decision : 02.08.2023

Jasmail Singh Brar @ Kairon

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

Mr. Sandeep Sharma, Advocate,
for respondent No.1.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.61 dated 17.04.2017, registered under Sections 341, 506, 511, 148 & 149 of the Indian Penal Code, 1860 (for short, '*the IPC*'), at Police Station Bagha Purana, District Moga and all subsequent proceedings arising therefrom.

2. In response to the notice of motion, status report filed by way of affidavit of Mr. Jasjyot Singh, PPS, Deputy Superintendent of Police Baghapurana, District Moga, dated 16.03.2023, is taken on record. Copy thereof be supplied to the opposite side during the course of the day.

Registry to tag the same at appropriate place.

3. For reference, relevant portion of the aforesaid affidavit is recapitulated as under:-

*“7. That cancellation report in this case was prepared on
21.07.2018 and after completion of formalities said*

cancellation report was presented before the Ld. Court of Illaqa Magistrate, Baghapurana on 15.01.2021. After recording statement of complainant the Ld. Court has ordered to reinvestigate the matter vide order dated 15.01.2021.

8. That during reinvestigation of the case, same was again found to be false and after completion of investigation cancellation report was again presented before the Ld. Court on 02.03.2023 and same was adjourned for 10.03.2023 and on same day complainant had filed a private complaint before the Ld. Court and now same is fixed for 20.03.2023.”

4. Perusal of the aforesaid extract reveals that after investigation, cancellation report had been presented in the matter, but same was returned by learned Court below for further investigation. Again, the cancellation report was submitted and now, the complainant has also filed a private complaint, which is stated to be pending consideration before the Court of competent jurisdiction.

5. In view of the above, this Court does not find any justification to keep the matter pending.

6. Accordingly, present petition is disposed off with liberty that in case the occasion so arises, petitioner may take recourse to the remedy, as per law.

7. Pending application(s), if any, shall also stand disposed off.

02.08.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No