

2023:PHHC:059932

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

CRM-M-20868-2023
Date of Decision: 27.04.2023

Rajan Malhotra

..... Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Umesh Aggarwal, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for quashing of FIR No.163 dated 17.06.2021, registered under Section 306 IPC, at Police Station 'B' Division at Amritsar and quashing of order dated 12.11.2022 passed by the learned Presiding Officer National Lok Adalat, Amritsar, whereby the cancellation report submitted in the aforesaid FIR has been rejected by passing a non-speaking order.

It has been contended by learned counsel for the petitioner that the case was thoroughly investigated and thereafter cancellation report was filed as offence under Section 306 IPC was not made out, however, learned Magistrate without assigning any reason rejected the cancellation report and sent it for further investigation.

Notice of motion.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab, accepts notice on behalf of the State and opposes the submissions made by learned counsel for the petitioner. On instructions from ASI Satpat Singh, he has submitted that the case is already under investigation and they are in a position to conclude the same expeditiously.

After arguing for some time, learned counsel for the petitioner submits that at this stage, he does not wish to press the present petition, however, the case is under investigation after passing of the impugned order dated 12.11.2022 from the last about 6 months and the Investigating Agency is intentionally not concluding the same.

After hearing learned counsel for the petitioner, the petition is allowed to be dismissed as withdrawn.

However, State is directed to conclude the investigation expeditiously as directed by the trial Court independently without being prejudiced by the order dated 12.11.2022 within a period of two months.

27.04.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No