

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

266

**CRM-M-40991-2014
Date of decision : 20.11.2023**

Iqbal Singh

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Ms. Divya Gulati, Advocate for
Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Harsimrat Randhawa, Advocate
for respondent No.2/complainant.

PANKAJ JAIN, J. (Oral)

1. On 19.07.2023, following order was passed:-

“On 1st of December, 2014 following order was
passed :

“Learned counsel for the petitioner contends that the dispute between two brothers is with regard to the plot, which was purchased by deceased-father of the petitioner as well as respondent No.2. Learned counsel further contends that the petitioner is in possession of that plot for the last more than 30 years and a civil suit was also filed by respondent No.2, which is still pending. The present FIR has been registered just to convert the civil dispute into criminal, whereas, no offence is made out against the petitioner. Learned counsel also submits that earlier on three occasions, an inquiry was conducted on the complaint made by respondent No.2 and it was recommended that no offence is made out and now on the same set of allegations, the present FIR has been registered.

Notice of motion for 20.2.2015.

Notice regarding stay as well.”

No interim order was passed yet the matter is stated to be still under investigation and report has not been finalized.

Commissioner of Police, Amritsar shall file an affidavit explaining the conduct of the authorities and shall remain present in person before this Court, on 31.07.2023.”

2. On 29.07.2023, the affidavit was filed by Naunihal Singh, IPS, Commissioner of Police, Amritsar on behalf of respondent No.1-State.

3. The relevant part reads as under:-

“9. That it is submitted that now investigation of the aforesaid case FIR No.234, dated 20.06.2014, under Section 420/467/468/471 IPC, Police Station ‘A’ Division, Amritsar has been completed and final investigation report (cancellation) under Section 173(2) Cr.P.C. prepared on 20/07/2023 by SHO, Police Station Mohkamura, Amritsar has been presented before the Court of learned Area Judicial Magistrate on 24.07.2023 for adjudication.”

4. Learned State counsel thus submits that once the cancellation report has been presented before the concerned Court, nothing survives in the present petition under Section 482 Cr.P.C.

5. Learned counsel for the parties are not in a position to dispute the aforesaid facts.

6. In view of above, present petition is dismissed as having been rendered infructuous.

(PANKAJ JAIN)
JUDGE

20.11.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No