

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

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CRM-M-25020-2019

Date of decision : 16.11.2023

Baldev Singh**..... Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: None for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Status report by way of affidavit of Narinder Singh, PPS, Deputy Superintendent of Police, Sub Division Shahkot, District Jalandhar (Rural) on behalf of respondent-State of Punjab has been filed. The same is taken on record.

2. As per the status report, it has been stated as under:-

“xx xx

11. That it is respectfully submitted that the cancellation report in the above-said FIR and Cross-case was prepared by the then SHO of Police Station Shahkot and the necessary approval was sought from the Senior Superintendent of Police, Jalandhar so as to file the said cancellation report in the Ld. Trial Court.

It is pertinent to mention here that the Police issued a Notice No. 2-5P dated 11.05.2022 to the Suba Singh (complainant in FIR) and Baldev Singh (complainant in Cross-Case) whereby they were instructed by the Police to appear in the Ld. Trial Court on 12.05.2022 so that the cancellation report in the above-said FIR and Cross-Case may be filed in the Ld. Trial Court; however, they did not appear before the Ld. Trial Court on the said date.

It is pertinent to mention here that the Police issued a Notice No. 319-A-5P dated 26.08.2022 to the Suba Singh (complainant in FIR) and Baldev Singh (complainant in Cross-Case) whereby they were instructed by the Police to appear in the Ld. Trial Court on 28.08.2022 so that the cancellation report in the above-said FIR and Cross-Case may be filed in the Ld. Trial Court; however, they did not appear before the d. Trial Court on the said date.

It is pertinent to mention here that the Police issued a Notice No. 439-5P dated 30.10.2023 to the Suba Singh (complainant in FIR) and Baldev Singh (complainant in Cross-Case) whereby they were instructed by the Police to appear in the Ld. Trial Court on 31.10.2023 so that the cancellation report in the above-said FIR and Cross-Case may be filed in the Ld. Trial Court; however, they did not appear before the Ld. Trial Court on the said date as well.

Therefore, the cancellation report in the above-said FIR and Cross-case could not be filed by the Police since the Suba Singh (complainant in FIR) and Baldev Singh (complainant in Cross-Case) have not been appearing before the Ld. Trial Court despite serving of above-said notices on them by the Police.”

3. In view of above, the present petition seeking quashing of FIR stands dismissed as having been rendered infructuous.

4. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

16.11.2023

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Whether speaking/reasoned : Yes

Whether Reportable : No