

250

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

CRM-M-30518-2020

Date of Decision: 18.07.2023

Balwinder Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: None for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 of the Cr.P.C. for issuance of direction to respondent Nos.2 & 3 for conducting free and fair investigation and making arrest of the respondent Nos.4 to 7 in case of FIR No.223, dated 01.08.2020, under Sections 420/406/34 IPC, registered at Police Station Naraingarh, District Ambala.

2. At the outset, Ms. Harpreet Kaur, learned Assistant Advocate General, Haryana, on instructions has stated that a status report by way of an affidavit of DSP, Naraingarh, District Ambala has already been filed and while referring to Para Nos.8 & 9 of the same, she submitted that in the present case, a compromise was effected between the parties and the complainant had also made a statement that he does not wish to pursue this case and thereafter, a Cancellation Report was prepared and the same was filed before the learned Magistrate and it has been so accepted by the learned Magistrate on the basis of the statement made by the complainant, who is the

CRM-M-30518-2020

petitioner in the present case. The aforesaid Para Nos.8 & 9 of the affidavit are reproduced as under:-

“8. That during investigation, on 04.10.2021, the complainant came present in the police station and produced an affidavit duly attested by the Notary Public, alleging therein that the dispute between him and that of the opposite party has been amicably settled and he has received his money back, hence does not want to proceed further in the present case and thereafter, the facts of present case were also verified by the then SHO PS Naraingarh.

9. That thereafter, on 02.11.2021, on the basis of the above mentioned facts, cancellation report was prepared and after taking approval from the higher police officers, the same was presented before the Court of Ld. Illaqua Magistrate and on the statement of the complainant, the same has been accepted by the Ld. Court vide judgment dated 27.05.2022. The copy of judgment dated 27.05.2022 passed by the Court of Ms. Sumitra Kadian, LD. Divisional Judicial Magistrate, Naraingarh is enclosed as Annexure R-1 herewith for kind perusal of this Hon’ble Court.”

3. In view of the aforesaid factual position, no further action is required to be called for in the present petition and consequently, the same is hereby dismissed.

18.07.2023

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

- | | |
|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |