

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

264

CRM-M-48219-2021 (O&M)

Date of decision: 31.07.2023

Gurmit Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Simran Randhawa, Advocate for the petitioner

Ms. Himani Arora, AAG Punjab

Mr. P.S. Guliani, Advocate for respondent No.2

AMAN CHAUDHARY. J.

1. The present petition has been filed under Section 482 CrPC for quashing of FIR No.29 dated 05.03.2010 registered under Sections 419, 420, 407, 468, 471 and 120-B IPC at Police Station City Batala, District Batala.

2. Learned counsel for the petitioner contends that the land in question was sold in the year 1995, and the complaint came to be filed after the expiry of 15 years of the alleged sale, in the year 2010, upon which the FIR was registered. The sole allegation against the petitioner is that he being the Sarpanch of the village had wrongly identified the person in place of Amrik Singh, however the petitioner had only signed as a witness on the said sale deed. He is suffering on account of the same as the FIR has not come to an end, the matter still pending

before the trial Court.

3. Learned State counsel assisted by the learned counsel for respondent No.2 submit that a cancellation report has already been presented in said FIR, which was disposed of and the case was adjourned to 24.01.2020 for leading preliminary evidence, as the complainant had filed a protest petition against the cancellation report. The said order dated 29.11.2019 has not been challenged by the petitioner.

4. Heard

5. It is apposite to refer to the orders dated 01.07.2019 and 29.11.2019, passed by SDJM, Batala, which read thus:

01.07.2019

“Cancellation report presented. It be checked and registered. Complainant Amrik Singh who is duly identified by ASI Baldev Singh has suffered a separate statement that he doesn’t agree with the cancellation report so submitted and intends to engage his private counsel. On request, matter is adjourned to 08.08.2019 for filing protest petition.”

29.11.2019

“Today complainant has moved protest petition with respect to the cancellation moved by the police. Learned counsel for complainant has submitted that complainant wants to record his preliminary evidence. In view of the submission case is adjourned to 24.1.2020 for preliminary evidence of complainant. The cancellation moved by the police is hereby disposed of.”

6. The petitioner has sought the quashing of FIR, wherein after conducting investigation, a cancellation report was presented, which has been disposed of, without ordering further investigation. In view of the same, nothing survives in the present petition. However, the complainant has filed a protest petition, wherein his preliminary evidence is yet to be led.

7. In view of the above, the present petition is hereby disposed of.

(AMAN CHAUDHARY)
JUDGE

31.07.2023
S.Sharma(syr)

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No