

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-46924-2023 (O&M)

Date of decision: 20.09.2023

Salwinder Singh

...Petitioner

VS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Ashwani Talwar, Advocate,
For the petitioner.

Mr. Dhruv Dayal, Additional A.G., Punjab.

ARUN MONGA, J. (ORAL)

Petition herein filed under Section 482 Cr.P.C. is, *inter alia*, for issuance of directions to respondent No.4 to submit the status report of the investigation carried out so far in case FIR No.55 dated 26.06.2013, registered under Section 307 IPC at Police Station, GRP, Bathinda.

2. Learned State counsel on advance service of copy of petition appears and on instructions from ASI Gurmail Singh, at the outset, has tendered an order dated 16.09.2023 passed by learned trial Court in course of hearing, which is taken on record and marked as Annexure 'A'. He submits that cancellation report submitted by the police was rejected by learned trial Court and case was sent to the concerned police station for further investigation. For ready reference, order dated 16.09.2023 is reproduced hereinbelow:

“Complainant Salwinder Singh has come present today and suffered a statement that he has got registered FIR no. 55 dated 26.06.2013 u/s 307 IPC, PS GRP, Bathinda regarding attempt to murder against accused Raj Kumar Sonkar, TT Department of Railways. He further stated that police authorities have filed a cancellation report in the said FIR but he is not satisfied with the investigation conducted by the police authorities. He doesn't agree with the cancellation report submitted by the police and has objection if the same is accepted.

Perusal of the file shows that FIR no. 55 dated 26.06.2017 u/s 307 IPC, PS GRP Bathinda was got registered on the basis of statement of complainant Salwinder Singh. Said Salwinder Singh, has specifically stated that he is not satisfied with the investigation conducted by the police authorities and not agrees with the cancellation report submitted by the

police. As such, cancellation report is rejected. The same be sent to the concerned police station for further investigation.

File be completed and consigned as per order dated 11.08.2021 passed by the Hon'ble Punjab and Haryana High Court Chandigarh regarding consignment of cancellation and untraced reports in CRM No. M-44143/2020 (O&M) titled as “Jasbir Singh vs. State of Punjab and ors.”

3.
- It is obvious from above order that the law is taking further course and no further proceedings are required before this Court.
4.
- Disposed of, accordingly.
5.
- Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)

JUDGE

20.09.2023

Vandana

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No