

CRM-M-50469-2023

Date of decision: 15.11.2023

Pawan Kumar @ Laddu and another

....Petitioners.

Versus

State of Punjab and others

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Vivek K. Thakur, Advocate,
for the petitioners.

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SANJIV BERRY, J. (ORAL)

Instant petition has been preferred under Section 482 Cr.PC seeking quashing of FIR (Annexure P-1) along with subsequent proceedings arising therefrom and with further direction to the learned Sub Divisional Judicial Magistrate, Jagraon to decide the cancellation report dated 15.08.2023 (Annexure P-2) in an expeditious manner. Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
121	02.07.2023	294 and 506 IPC	P.S. Sadar, Jagraon, District Ludhiana (Rural)

2. It is, inter alia, submitted by learned counsel for the petitioners that the aforesaid FIR was registered against the petitioners at the instance of respondent No. 3 and after investigation, cancellation report had been submitted by the Police in the Court of Illaga Magistrate concerned on 18.08.2023.

3. Learned counsel for the petitioners submits that despite the statement of the complainant, having been recorded on that very date, i.e.

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18.08.2023, whereby he was not agreed to the cancellation report, hence, learned Sub Divisional Judicial Magistrate, Jagraon, has not disposed of the matter in accordance with the law and has been adjourning the same and now the matter is fixed for 08.12.2023 for consideration. He further submits that for the purpose of this petition, petitioners will be satisfied if the directions are issued to learned Sub Divisional Judicial Magistrate, Jagraon, to consider and decide the cancellation report dated 15.08.2023 (Annexure P-2) in an expeditious manner in accordance with law.

- 4. Notice of motion to the official respondents at this stage.
- 5. On the asking of the Court, Mr. Subhash Godara, Addl. AG, Punjab, who is present in Court, accepts notice on behalf of respondents No. 1 to 2.
- 6. After hearing the respective submissions; considering the averments made in the petition and without commenting on the merits thereon, the present petition is disposed of with the direction to learned Sub Divisional Judicial Magistrate, Jagraon, to consider and dispose of the cancellation report dated 15.08.2023 (Annexure P-2) in an expeditious manner under the provisions of the law.
- 7. Decision so taken be intimated to the petitioner.
- 8. Disposed of.

15.11.2023
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(SANJIV BERRY)
JUDGE

- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No