

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

116

CRM-M-52644-2022

Date of Decision : 01.03.2023

Gurdeep Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. R.K.Grewal, Advocate
for the petitioner.

Mr. Amish Sharma, Asstt. A.G., Punjab.

Ms. Neeraj Meelu, Advocate
for respondents No.2 to 4.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition, on the basis of compromise, is seeking quashing of FIR No.0249 dated 10.08.2017 registered at Police Station City Jagraon, District Ludhiana, under Sections 354, 341 and 34 IPC.

Status report dated 01.03.2023 by way of affidavit of Savinder Singh Virk, PPS, DSP Jagraon, District Ludhiana (Rural), is taken on record. Registry is directed to tag the same at appropriate place.

Learned State counsel, at the outset, submits that the police has prepared cancellation report on 31.08.2017 and petitioner is not required by the Investigating Agency, thus, petition, at this stage, may be disposed of.

Learned counsel for private respondents submits that she has no objection if the impugned FIR is quashed and the present petition is allowed.

From the perusal of the status report, it is quite evident that on the basis of compromise arrived at between the parties, the Investigating Officer has opted to prepare cancellation report which has not been presented before the trial Court. The relevant extract of the status report read as :

“5. That during investigation on 11-08-2017 Ritu Raj and accused Hardeep Singh and Bhawandeep Singh have produced compromise before the I.O. On the basis of this compromise offence u/s 341/34 IPC has been deleted and accused Bhawandeep Singh and Hardeep Singh are declared innocent in this case vide zimni no. 2 dated 11-08-2017.

6. That on 12-08-2017 complainant Rakesh Thapar submitted one compromise with Gurdeep Singh before the I.O. He stated that he wants to withdraw his complaint and he does not want to take any action in this case against the petitioner. On the basis of compromise, SHO PS City Jagraon has recommended to cancel this case vide zimni no. 4 dated 31-08-2017. So cancellation report has been prepared by the SHO PS City Jagraon on 31-08-2017.

7. That the FIR against the petitioner has been cancelled by the police. The petitioner is not wanted to the police in this case. In these circumstances it is prayed that this Hon'ble Court may pass order in this petition as deemed

*fit. This status report is submitted for the perusal
of this Hon'ble Court.”*

Learned State counsel on instructions from ASI Gurcharan Singh submits that the cancellation report shall be presented before the trial Court within one month.

In view of the status report and the statement made by learned State counsel, no further order is warranted, however, it is made clear that if at any stage, cancellation report is not accepted, the petitioner would be at liberty to avail remedies as permissible by law.

Disposed of.

**(JAGMOHAN BANSAL)
JUDGE**

01.03.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>