

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

289

CRM-M-682-2023 (O&M)
Date of order: 27.02.2024

Ashish Dua

.....Petitioner(s)

Vs.

State of Haryana & Another

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Yashveer Kharb, Advocate
for the petitioner.

Mr. Aditya Pal Singla, AAG Haryana.

Mr. Munish Garg, Advocate
for respondent No.2.

Nidhi Gupta, J.

The prayer in this petition is for quashing of FIR No.364 dated 14.04.2016 (Annexure P-1) under Sections 354 and 506 IPC registered at Police Station Chandni Bagh, District Panipat; on the basis of compromise/affidavit dated 31.12.2022 (Annexure P-2).

2. On the last date of hearing i.e. 18.12.2023, following order was passed by a Co-ordinate Bench of this Court:-

"1. Learned State counsel submits that in the instant case, the cancellation report was submitted in the Court of the learned Illaqa Magistrate on 14.09.2019 and the same has also been accepted.

2. However, the report indicates that the Investigating Officer has submitted that the cancellation report has been prepared and it is yet to be filed in the Court. Even the status report indicates that the cancellation report is yet to be presented in the Court.

3. *Learned State counsel seeks an adjournment to reconcile and get clear instructions in this regard.*
4. *Adjourned to 27.02.2024.”*

3. Learned State Counsel files status report by way of affidavit of Dharamvir Singh, HPS, Deputy Superintendent of Police, HQ, Panipat dated 26.02.2024, which is taken on record; and copy of the same has been supplied to counsel opposite.

4. With regard to submission of cancellation report before the learned trial Court, learned State Counsel refers to Para 3 of the status report wherein it has been mentioned as follows:-

“3. That with regard to the status of cancelation report, it is submitted that the cancellation report could not be submitted in the Ld. Court as the petitioner was initially arrested on 07.09.2016 when he surrendered before the Court of Ld. JMIC, Panipat. Hence, an application for discharge, Annexure R-1, was filed before the Ld. JMIC, Panipat which is pending adjudication. Thereafter, Cancellation Report was filed before the Ld. JMIC, Panipat on 22.02.2024 and the same is still pending before the Court of Ld. J.M.I.C., Panipat.”.

5. In view of the above, learned counsel for the petitioner seeks to **withdraw** the present petition. He also seeks direction to learned trial Court to consider the aforesaid cancellation report within two months.

6. Ordered accordingly.

7. Pending application(s) if any also stand(s) disposed of.

27.02.2024
Sunena

(Nidhi Gupta)
Judge

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