



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

232

CRM-M-5228-2022 (O&M)

Date of Decision: 16.10.2024

Balwinder Singh Saggu

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Sandeep Sharma, Advocate for the petitioner.

Ms. Aakanksha Gupta, A.A.G., Punjab.

NIDHI GUPTA, J. (ORAL)

The limited prayer of the petitioner/accused in the present case is for seeking direction to official respondents No. 2 and 3 to file status report in respect of the status of the case/FIR No. 100 dated 19.05.2016 (Annexure P-1) registered under Sections 406 and 498-A IPC, 1860 at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the State has referred to submissions made in status report dated 20.07.2022 filed by way of an affidavit of the Deputy Superintendent of Police, Sub Division Phillaur, District Jalandhar (Rural) on behalf of respondents No. 1 to 3, wherein it is stated in para 13 that an SIT has been constituted which has forwarded a report dated 28.10.2016 to the office of Senior Superintendent of Police, Jalandhar (Rural) recommending to file cancellation report in the above said FIR as the allegations levelled by the complainant against the petitioner were found to be false.

Learned counsel for the State points out that thereafter, the

said cancellation report was filed before the learned trial Court on 21.12.2020. However, the same was rejected by the learned trial Court on 21.12.2020 itself. It is further pointed out that thereafter, second cancellation report was prepared and presented before the learned trial Court and the same was also rejected by the trial Court vide order dated 13.09.2024 as the complainant was not present.

Learned counsel for the petitioner submits that the complainant in the present case is the mother of the wife of the petitioner and the complainant failed to appear despite the fact that two cancellation reports have been submitted in the matter.

Learned counsel for the petitioner prays that since the limited prayer of the petitioner is for filing status report in respect of the status of the case/FIR No. 100 dated 19.05.2016 (Annexure P-1), the present petition may be disposed of with liberty to the petitioner to raise all pleas before the learned trial Court.

Permitted to do so.

Ordered accordingly.

Pending application, if any, stands disposed of.

16.10.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No