

117 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5158-2024

Decided on:-01.02.2024

Kanwarpal Singh

....Petitioner..

VS.

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Parvinder Singh, Advocate,
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, prayer has been made for issuance of direction to official respondents to conclude the investigation and submit final report in FIR No.113, dated 14.10.2022, under Sections 417 and 420 IPC, at Police Station Banur, District Patiala.

2. Learned counsel for the petitioner submits that the aforementioned FIR was registered against the petitioner way-back in October, 2022 and till date no final report has been filed by the investigating agency, whereas, the petitioner is being called repeatedly by the investigating agency in the police station.

3. On the other hand, learned State counsel, on instructions from ASI Ram Krishan Singh, submits that the cancellation report in the aforementioned FIR was prepared by the investigating officer on

11.07.2023, which was forwarded to the Senior Superintendent of Police, Patiala on 26.08.2023, however, the same is still under consideration with the superiors.

4. In view of the above, once a cancellation report was prepared and submitted by the investigating officer before the Senior Superintendent of Police, Patiala, no cause survives in the present petition, at this stage. However, considering the fact that the SSP, Patiala has not considered the cancellation report submitted by the investigating officer for the past more than 05 months, which has compelled the petitioner to approach this Court to seek his grievance, a cost of Rs.20,000/- is fastened upon the SSP, Patiala to be paid to the petitioner within a period of 15 days from today against a valid receipt towards unnecessary litigation cost incurred by the petitioner.

It is further directed that the cancellation report/final report be presented before the Illaqa Magistrate within a period of 04 weeks from today and in case the same is not done, the petitioner shall be at liberty to seek revival of the present petition along with advance copy of the said application to the the respondent through the office of Advocate General, Punjab. In case, the compliance of the aforesaid direction is not done before the listing of the said application, the SSP, Patiala shall remain present in Court to explain the delay.

5. Disposed of accordingly.

01.02.2024
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(HARKESH MANUJA)
JUDGE

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