

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-6268 of 2024
Date of Decision: February 06, 2024

Joginder Singh
.....Petitioner
versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR.JUSTICE HARPREET SINGH BRAR

Present:- Mr. Sherry K. Singla, Advocate
for the petitioner

Mr. Subhash Godara, Addl. A.G. Punjab

Harpreet Singh Brar, J. (Oral)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 256 dated 26.12.2020 registered under Sections 379, 420 IPC at Police Station Sadar Patiala, District Patiala.
2. Learned counsel for the petitioner *inter alia* contends that respondent No. 4 has got the FIR registered against the petitioner. The veracity of the allegations were examined twice and on both the occasions the investigating agency has recommended cancellation of the FIR (supra). However, learned jurisdictional Magistrate is not proceeding further on the cancellation report submitted by the Investigating Officer on the pretext that in the absence of complainant no effective order can be passed. Learned counsel for the petitioner further submits that till date the concerned jurisdictional Magistrate has not even issued notice to the complainant.
3. At this stage, learned State counsel on instructions from ASI Inderjit Singh submits that the cancellation report has been recommended second time

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and they would present the same before the concerned jurisdictional Magistrate within a period of four weeks.

4. On doing so, learned trial Court/Illaq Magistrate concerned is directed to proceed further by issuing notice to the complainant in accordance with law.

5. Learned counsel for the petitioner at this stage submits that his grievance has been substantially redressed, as such the present petition may be disposed of in the aforementioned terms.

6. The petition is disposed of.

(HARPREET SINGH BRAR)
JUDGE

February 06, 2024
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No