



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

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CRM-M-2844-2015(O&M)

Date of Decision : May 18, 2024

RAMESH KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sandeep Wadhawan, Advocate for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Ms. Subhra Singh, Advocate
for respondent No.8.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, prayer is made for issuance of appropriate directions to respondents No.1 to 5 to hand over the investigation in case FIR No.224 dated 29.10.2014, registered under Sections 379, 188, 148, 149 IPC at Police Station Ajnala, District Amritsar (Rural), to some other independent investigating agency like the CBI etc.

2. This case is pending since the year 2015 and from the perusal of the status report, which was filed way back in the year 2019, it transpired that after conducting the detailed investigation in the instant FIR, the SIT, which was constituted by the competent authority, had recommended for cancellation of the FIR and that recommendation was duly approved by the Deputy District Attorney. Even the SSP, Amritsar has accorded approval to the cancellation report on 5.5.2019.



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3. Today, the learned State counsel submits that despite the approval of the cancellation report, the same has not been filed before the learned Illaqa Magistrate concerned till date.

4. This Court is unable to comprehend with the lethargy, whereby, no reason is coming forth for not filing the cancellation report before the learned Illaqa Magistrate concerned since 2019, therefore, this Court deems it fit and appropriate to pass a mandamus upon the official respondent i.e. SSP, Amritsar Rural to forthwith file the cancellation report before the learned Illaqa Magistrate concerned, enabling the petitioner to avail an alternate remedy in case he has any grievance with regard to the cancellation report.

5. **Disposed** of accordingly.

(KULDEEP TIWARI)
JUDGE

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No