

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14968-2019
DECIDED ON: 02.05.2024

AVTAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Aman Dhir, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. seeking quashing of the FIR No.71, dated 10.10.2016, under Sections 420 & 364 IPC, registered at Police Station Kotbhai, District Sri Muktsar Sahib.

Today, reply dated 01.05.2024 by way of an affidavit of Jasbir Singh, PPS, Deputy Superintendent of Police, Sub Division Gidderbaha, District Sri Muktsar Sahib has been filed on behalf of respondent No.1, which is taken on record. Copy thereof has been furnished to the learned counsel for the petitioner today in Court.

A perusal of the said status report would depict that investigation has been completed in compliance of the orders passed by this Court, wherein the accused joined the investigation on 15.11.2016 and thereafter, the cancellation report was submitted and further investigation was ordered after the same was not accepted by the Court.

It is again on re-investigation, the fresh cancellation report has been drawn and the same is pending for approval with the competent authorities.

In the light of above, since the cancellation report has been prepared, the quashing of instant FIR as per the prayer made in the instant petition is of no consequence.

However, State has not yet presented the cancellation report before the Court despite its preparation on 14.03.2023 after lapse of more than a year, therefore, this Court deems it appropriate that Deputy Superintendent of Police, Gidderbaha, District Sri Muktsar Sahib shall ensure that cancellation report is presented to Court within a period of two weeks from today itself.

In case, needful is not done by the State, the petitioner is at liberty to file an appropriate application for revival of the instant petition.

The instant petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

02.05.2024
Poonam Negi

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