

CRM-M-16715-2024
Date of decision: 08.04.2024

Santa SinghPetitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

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

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for issuance of direction to respondent No.1 to complete the investigation and present the final report under Section 173 Cr.P.C. in FIR No.211 dated 28.12.2020 under Sections 376/457/506 of IPC and Section 4 of POCSO Act registered at Police Station Mamdot, District Ferozepur.

Learned counsel for the petitioner *inter alia* submits that on the complaint made by the petitioner, the FIR (*supra*) was registered and the jurisdictional police authorities has concluded the investigation and presented the cancellation report which was not accepted by the learned Additional Sessions Judge, Special Court, Ferozepur, as the statement of the daughter of the petitioner recorded under Section 164 Cr.P.C. was not taken into consideration, moreover, the FSL report was not available. It is further contended that the period of more than two and a half years has been elapsed

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from the date the cancellation report was rejected by the Court concerned and till date, the order passed by the learned Additional Sessions Judge, Ferozepur has not been complied with.

Per contra, the learned State counsel, on instructions from ASI Om Parkash, submits that the grievance raised by the petitioner in the present petition has been substantially redressed and the veracity of the allegations have been examined by Senior Ranking Officer i.e. Superintendent of Police of Punjab Bureau of Investigation and after the receipt of the chemical examiner report, no semen was detected from the vaginal swab and it has been once again decided to present the cancellation report. He further submits that the report prepared by the Investigating Agency would be submitted before the concerned Court within a period of 08 weeks from today.

In view of the above, the present petition is disposed of. However, the petitioner would be at liberty to invoke his alternative remedies as available to him in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

08.04.2024
Neha

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