

2024:PHHC:054426

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

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CRM-M-19414-2024
Date of Decision : April 23, 2024

JASKIRAT SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. A.S.Sandhu, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. This is the second petition seeking quashing of FIR No.252 dated 23.11.2014, under Sections 323/379/120-B IPC, registered at Police Station Moga City as well as all the subsequent/consequential proceedings arising out of the aforesaid FIR.
2. Earlier also the petitioner has approached this Court seeking quashing of the FIR (supra), however, the said petition was disposed of as the learned State counsel has submitted that a cancellation report has been prepared, which is pending approval in the office of SSP Moga and thereupon, a direction was issued upon the SSP concerned to take necessary action in the matter, within one month from the date of receipt of certified copy of the order and liberty was also granted to the petitioner that in case the grievance still left, to reassess this Court by making a fresh motion.
3. Today, the learned State counsel on instructions imparted to

him by ASI Surjit Singh submits that the SSP Moga has also extended the approval but it is pending with the Investigating Officer concerned, because the complainant is not coming forward, which has caused impediment for the Investigating Officer to submit the same before the learned Illaqa Magistrate concerned.

4. The submission made by the learned State counsel is not acceptable as there is no provision, which requires the presence of the complainant for furnishing of the cancellation report, therefore, a direction is issued to the SHO concerned, to forthwith file the cancellation report before the learned Illaqa Magistrate concerned and thereupon, the learned Illaqa Magistrate concerned shall take appropriate action, as per law.

5. **Disposed** of accordingly.

(KULDEEP TIWARI)
JUDGE

April 23, 2024
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No