

2024.PHHC.155638



273.

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

**CRM-M-21402-2023**

Date of decision: 25.11.2024

Ramandeep Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr. Vishal R. Lamba, Advocate and  
Mr. Himmat Singh Deol, Advocate, for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

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**GURBIR SINGH, J.(Oral)**

1. On 28.04.2023, while issuing notice of motion, the following order was passed:-

“1. Petitioner is seeking to quash the enquiry report dated 14.12.2022 (Annexure P-9).

2. Learned counsel for the petitioner contends that initially, the FIR No.95 dated 05.11.2022, under Sections 336/427/160 IPC and Sections 25/27 of Arms Act, registered at Police Station Verka, District Police Commissionerate Amritsar. The petitioner had sustained injuries in the occurrence and on the basis of his statement dated 06.11.2022 (Annexure P-3), a cross-version under Section 307/336/148/149 and Sections 25/27 of Arms Act was registered. An enquiry in the matter was conducted and it was concluded that the petitioner was an aggressor and the opposite party had fired in self defence. In terms of GD No.35 dated 14.12.2022, registered at Police Station Verka, District Police Commissionerate, Amritsar (Annexure P-10), it has been concluded that the offence under Sections 307/336/148/149 IPC and Sections 25 & 27 of Arms Act have been deleted. No such cancellation report has been

sought to be submitted before the Court concerned and the challan on the basis of the FIR No. 95 dated 05.11.2022 has already been submitted. The controversy as to which of the parties is aggressor is to be adjudicated during the course of trial.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent Nos.1 to 5.

5. Adjourned to 18.07.2023.”

2. When faced with the situation that cancellation report has already been presented in the cross version case vide G.D. No.35, dated 14.12.2022 (as stated so in paras No.12 and 13 of the short reply already filed by way of affidavit dated 15.10.2024 of Gurinderbir Singh, PPS, Assistant Commissioner of Police, East, Amritsar, on behalf of respondents No.1 to 5), learned counsel for the petitioner submits that the petitioner would be satisfied if he be allowed to take all pleas to oppose the said cancellation report and if necessary, to file protest petition/regular complaint and to take appropriate remedy. With the said liberty, he seeks permission to withdraw the present petition.

3. Allowed, as prayed for.

4. Dismissed as withdrawn with liberty aforesaid.

**(GURBIR SINGH)**  
**JUDGE**

**November 25, 2024**  
sanjeev

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No