

CRM-M-40208-2022

225 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-40208-2022
Date of Decision: 16.01.2024

Abhishek Koushal ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mrs. Kanwal S. Walia, Advocate
for the petitioner.

Mr. Ravinder Singh, A.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
07	12.02.2017	Talwara, District Hoshiarpur	409, 120-B, 420 IPC and 13 (2) of PC Act, 1988

Seeking quashing of FIR captioned above, the petitioner has come up before this Court under Section 482 CrPC.

2. Status report by way of affidavit of Harkishan Singh PPS, Deputy Superintendent of Police has been filed in Court and the same is taken on record. State counsel submits that they are in the process of filing cancellation report and it would be appropriate to reproduce para no.5 of the status report which reads as follows:-

“5. That it is submitted that accordingly cancellation report of the present FIR was prepared and was proved by the Senior Police Officers. Afterwards the cancellation report was presented in the court of Ms. Prabha Prashar Ld. JMIC, Mukerian on 19.04.2019. Afterwards, the court of Sh. Amardeep Singh Bains Ld. SDJM, Mukerian sent the cancellation file to the Court of Id. Sessions Judge, Hoshiarpur for consideration on 11.08.2021. On this, the case was marked for consideration to Sh. Gopal Arora Ld. ASJ, Hoshiarpur and the complainant Ranjit Singh got recorded his statement on

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13.10.2021 and he stated that he is not satisfied with the cancellation report and as such the court of Sh. Gopal Arora Ld. ASJ, Hoshiarpur refused to accept the cancellation report of the present case and sent the cancellation report to SHO, P.S. Talwara for re-investigation vide order dated 02.12.2021. Afterwards, the investigation of the present case was conducted by the predecessor of the deponent and complainant and others were joined in the investigation again and the case was found to be registered falsely and it was also found that the matter of the present case does not call interference of the police and as such the cancellation report was prepared by the SHO, P.S. Talwara and the same was approved by Senior Police Officer and was presented in the court of Sh. Rajinder Singh Teji Ld. JMJC, Mukerian on 18.07.02022 and the same was committed to the court of Ld. Sessions Judge Hoshiarpur, for consideration. On this, the cancellation report was marked for consideration to the court of Sh. Puneet Mohan Sharma Ld. ASJ, Hoshiarpur and the same is pending for 012.02.2024 for consideration.”

3. Given above, the present petition stands disposed of as rendered infructuous. Liberty reserved. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

16.01.2024

Jyoti Sharma

Whether speaking/reasoned: Yes

Whether reportable: No.