



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

241

CRM-M-4233-2021

Date of decision: 06.02.2025

ZARINA

...PETITIONER

VERSUS

STATE OF HARYANA AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Satish Chaudhary, Advocate for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

Mr. Sarfaraj Anjum Mor, Advocate for respondents No.7 to 14.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 482 Cr.P.C. for issuance of directions to official respondents to conduct fair investigation and take legal action against the accused respondents for committing offences under Sections 323, 365, 376-D, 506, 120-B IPC, Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Sections 25, 54, 59 of Arms Act, 1959 as no case/FIR has been registered against the accused private respondents despite medical records of two injured persons including petitioner for kidnapping and sexually assaulting minor daughter of the petitioner.

2. Reply dated 10.10.2022 by way of an affidavit of Shamsher Singh, HPS, Deputy Superintendent of Police, Punhana, District Nuh has already been filed on behalf of respondents No.1 to 4 – State. Paragraph No.10 of the said reply is reproduced as under:-

“10. That the petitioner has leveled false and fabricated allegation against the aforesaid accused namely Yunus, Tayyub,

Isab son's of Rehman, Liyakat, Rasid s/o Fajru, Billu s/o Tayyub, Iqbal s/o Rajjak, Harun s/o Amru r/o Hathangoan which were not substantiated by any cogent, reliable and consistent evidence. Therefore, taking into consideration the deficient evidence of the case, a cancelation report of FIR No. 28 dated 20.02.2022 u/s 148/323/366A/342/506/34 IPC has been prepared on date 03.04.2021 in the present case by the SHO, police station, Bichhor, which has been sent to the higher authorities for submission of the cancelation report in the Ld. Illaqa Magistrate Ferozepur Jhirka for acceptance.”

3. Learned State counsel has produced a copy of order dated 07.01.2023 passed by the trial Court and submits that the present petition has become infructious as the cancellation report has been filed before the trial Court and the same has also been accepted vide order dated 07.01.2023, which reads as under:-

“Today, also the complainant has not appeared before the court. This cancellation report was filed by the police on 27.10.2021 and thereafter, notice to complainant was issued, who appeared before the court on 10.12.2021 and wished to file protest petition but thereafter, no protest petition has been filed so far despite availing numerous opportunities and the complainant is not appearing since last 2-3 dates, and it appears that he is not interested to proceed further, therefore, this cancellation report is hereby accepted. File be consigned to record room after due compliance.”

4. In view of the above, the instant petition is disposed of as having been rendered infructuous.

06.02.2025

Nisha Yadav

**(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No