



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.6008 of 2025 (O&M)

Date of decision: 25.03.2025

Sudarshan Kanchan

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ram Kumar Chauhan, Advocate
and Mr. Ankush Chauhan, Advocate
for the petitioner.

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

HARPREET SINGH BRAR J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for issuance of directions to the learned trial Court to decide the case bearing CRM No.115 of 2024 titled as 'Sudarshan Kanchan Vs. State of Punjab etc.' under Section 156 (3) of Cr.P.C. pending before the learned Judicial Magistrate 1st Class, Kharar pending for 29.04.2025.

On 03.02.2025, the following order was passed by this Court:-

“XX XX XX XX

Learned counsel for the petitioner inter alia contends that the petitioner has approached the jurisdictional Court by way of filing an application under Section 156 (3) of Cr.P.C. on 14.02.2024 and more than one year has passed but no investigation has been done so

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far. He further relies upon various zimini orders indicating that 13 opportunities have been taken by the concerned police station and till date, the status report sought by the learned Judicial Magistrate 1st Class, Kharar, has not been filed. Even theailable warrants thrice have been issued against the SHO concerned.

After perusal of all the zimini orders, it transpires that the status report from the concerned SHO was called on 14.02.2024.

Respondent No.2 is directed to file his affidavit and explain therein the failure of jurisdictional police authorities to comply with the directions issued by the jurisdictional Court and also directed dispassionately examine the role of respondent No.3 and take an appropriate action accordingly.

Adjourned to 25.03.2025.”

In compliance thereof, short reply by way of affidavit of Deepak Pareek, IPS, Senior Superintendent of Police, District S.A.S. Nagar, has been filed in the Court today, which is taken on record.

Learned State counsel has referred to Para 9 of the short reply and submits that in fact the status report was filed on 07.09.2024, however, inadvertently the jurisdictional Magistrate has not taken note of filing of the status report in subsequent orders.

The factual position has been clarified by the Judicial Magistrate Ist Class, Kharar in his order passed on 11.02.2025 and now the case is fixed for further consideration.

Without commenting anything on merits of the case, the present petition is disposed with a direction to the learned jurisdictional

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Magistrate to decide the application filed by the petitioner under Section 156(3) Cr.P.C., within a period of 08 weeks from the date of receipt of certified copy of this order, strictly in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

25.03.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No