

**CRM-M-22050-2023(O&M)****1**

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-22050-2023(O&M)**

Date of Decision : 28.04.2025

GURPREET SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ANR

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent: Mr. S.S.Grewal, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG Punjab.

KIRTI SINGH, J.(Oral)

1. The petitioner through instant petition, is seeking direction to trial court to accept cancellation report in FIR No.173 dated 06.11.2018, under Sections 406, 498-A, 354 and 323 IPC, registered at Police Station, Sadar Sri Mukatsar Sahib, District Sri Mukatsar Sahib.

2. Learned counsel for the petitioner *inter alia* contends that police, after completing investigation, presented a cancellation report before the learned Magistrate, who without taking a decision on the said cancellation report, called for preliminary evidence by treating the protest petition as a complaint vide order dated 14.12.2022. At present, cancellation report stands neither accepted nor rejected, thus, as per police record FIR is pending against the petitioner and petitioner is unable to get police clearance, which is required for getting permanent resident visa of Canada. The petitioner has been deported on account of pending FIR.



3. Learned State counsel has not disputed that the a cancellation report is still pending consideration of the Court concerned as neither it has been accepted nor rejected.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. Without commenting on the merits of the complaint in question, the matter is remanded back to the Court concerned to first take a decision on the cancellation report which is still pending its consideration, and thereafter, if required, to proceed with the protest petition filed by the complainant, in accordance with law.

6. The instant petition stands disposed of accordingly.

Pending application(s), if any, also stands disposed of accordingly.

28.04.2025

Kavita Nain

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No