



CRM-M-43576-2025

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

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Date of decision: 11.08.2025

Manjinder Singh**....Petitioner****Versus****State of Punjab and others****....Respondents****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Charan Jit Sharma, Advocate
for the petitioner.

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

SUBHAS MEHLA, J (Oral):

1. Present petition has been filed under Section 528 of BNSS for setting aside order dated 09.09.2024 passed by the learned Chief Judicial Magistrate, Sri Muktsar Sahib, accepting the cancellation report submitted by the police in case FIR No.199 dated 01.12.2023 under Sections 447, 511, 380 and 506 of IPC registered at P.S City Muktsar, District Shri Muktsar Sahib.
2. Learned counsel for the petitioner contends that the trial Court has gravely erred in passing the impugned order as no opportunity of being heard was ever afforded to the petitioner. It is contended that private respondents-accused wield considerable influence and belong to ruling party in the State of Punjab being known as right hand man of the local MLA. They in connivance with the local police got prepared the cancellation report and submitted the same.

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3. After having heard learned counsel for the petitioner and going through the paper book, I find no substance in the submission made by learned counsel representing the petitioner. It is apparent from order dated 09.09.2024 that the complainant was duly served but despite having the notice that matter having been called several times, no one put appearance for the complainant. It is only thereafter that the cancellation report has been accepted. That apart, the Court has the discretion to accept or reject the cancellation report based on the evidence presented, the nature of the case. If a complainant fails to appear despite being given notice, the court may still reject the cancellation report, if the complainant's presence is not deemed essential for the court's decision.

4. No ground is made out warranting intervention.

5. Dismissed.

(SUBHAS MEHLA)
JUDGE

11.08.2025
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1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No