



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

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CRM-M-52112-2019(O&M)

Decided on :23.01.2025

Kuldeep Singh and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Pankaj Bhardwaj, Advocate for the petitioners.

Mr. Jasdeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The present petition under Section 482 of the Code of Criminal Procedure, has been filed by the petitioners, for quashing of FIR No. 207, dated 27.10.2019 (Annexure P-1), for the offences punishable under Section 306 IPC, registered at Police Station Dehlon, Police Commissionerate Ludhiana, and all the consequential proceedings arising therefrom, on the basis of compromise dated 30.11.2019 (Annexure P-9).

2. Learned counsel for the petitioners expresses his doubt to the fact, whether any cancellation report has been submitted to the Court or not.

3. On the other hand, learned State counsel submits that after completion of investigation, final report was prepared in the form of cancellation report and was submitted to the concerned Court of the Area Magistrate, which is pending for its final decision.

4. Faced with the situation, Mr. Pankaj Bhardwaj, Advocate for the petitioner submits that he wish to challenge the proceedings on merits and thus, seeks permission for the same.

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5. Taking notice of the fact that the cancellation report has already been submitted to the Court of concerned Area Magistrate and same is pending for its final decision, this Court does not find any special circumstance to deal with the investigation report prepared by the Investigating Agency by exercising its power under Section 482 Cr.P.C. Moreover, at first instance, it is for the Magisterial Court, where the report in any form has been submitted, to take some decision on it.

5. In view of the aforementioned circumstances, present petition is disposed of for the reason that as of now, no cause survives with the petitioners to challenge the FIR and other consequential proceedings as cancellation report has already been submitted. In the absence of any cause, present petition cannot sustain.

6. However, direction is issued to concerned learned Magistrate to take final decision in accordance with law, over the cancellation report pending before it within a period of three months from the receiving of this order.

7. Petitioners would be at liberty file a fresh petition, in accordance with law, in case any such necessity arises.

8. In the aforementioned terms, present petition is disposed of.

(SANJAY VASHISTH)
JUDGE

January 23, 2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No