



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

CRM-M No.60765 of 2024
Date of decision: 28th January, 2025

Kinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jasmeet Singh, Advocate for the petitioner.

Mr. Deepinder Brar, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is challenging the order dated 13.08.2022 passed by the learned trial Court whereby the cancellation report in FIR No.179 dated 05.12.2020 under Sections 420, 506, 465, 468, 471, 34, 120-B of the IPC and Section 3(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Kulgarhi, District Ferozepur was accepted.

2. Learned counsel for the petitioner has contended that the learned trial Court erroneously accepted the cancellation report, despite the fact that FIR No.179 was registered against Varinderpal Singh @ V.P. Singh under Sections 420, 506, 465, 468, 471, 34, 120-B of the IPC and Section 3(1) of the SCST Act, based on the complaint of the petitioner.

3. It has been submitted by the learned counsel that the cancellation report was prepared under undue influence exerted by the accused V.P. Singh. Furthermore, the petitioner was coerced into supporting the cancellation report through threats of false cases and dire consequences. It has still further been submitted that V.P. Singh, despite being a proclaimed offender, enjoys significant influence over the police, including protection from the office of the DIG. It has also been asserted that the statement of the petitioner before the learned trial Court, wherein he accepted the cancellation report, was recorded under duress, thereby rendering the approval of the cancellation report improper.

4. However, upon being pointedly asked by this Court as to whether the petitioner had lodged any complaint or approached any authority regarding the alleged threats or coercion, learned counsel for the petitioner candidly admitted that no such complaint or intimation was ever made to any authority.

5. Further, when questioned about the delay in filing the present petition, learned counsel for the petitioner confirmed that the impugned order was passed on 13.08.2022, whereas the present petition was instituted on December 2024, i.e. more than 2 years after the passing of the impugned order.

6. On being put to notice, learned State counsel, on the other hand, has also confirmed that the petitioner made a categorical statement before the learned trial Court accepting the cancellation report. It has been emphatically submitted by the learned State counsel that no

pressure, coercion or undue influence was exerted upon the petitioner while recording his statement.

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

8. The material on record reflects that the petitioner did not take any immediate steps to bring the alleged threats or coercion to the notice of any authority, despite being fully aware of the consequences of the acceptance of the cancellation report. The failure to report such a serious allegation in a timely manner raises grave doubts regarding the credibility of the claims of the petitioner. Further, the present petition has been filed after an inordinate and unexplained delay of over 2 years. Such a long delay in approaching this Court, without any reasonable justification, further weakens the case of the petitioner. Additionally, as also pointed out by the learned State counsel, the petitioner voluntarily made a statement before the learned trial Court accepting the cancellation report. There is no material on record to suggest that such a statement was made under duress or coercion.

9. In view of the aforesaid, this Court does not find any illegality much less perversity in the impugned order dated 13.08.2022. Consequently, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

January 28, 2025

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No