

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

**Crl. Misc. No. M-11925 of 2014 (O&M)
Date of decision: 30.01.2015**

Vikramjit Singh alias Vicky

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. G.S. Jaswal, Advocate,
for the petitioner.

Mr. Daljit Singh Virk, AAG, Punjab.

Mr. Davinder Kumar, Advocate,
for Mr. Pankaj Bali, Advocate,
for respondent No.2.

RITU BAHRI, J.

This petition under Section 482 Cr.P.C., is for quashing of FIR No.191 dated 08.09.2013, under Sections 363/366 IPC, registered at Police Station, City Khanna (Annexure P-1).

Vikramjit Singh @ Vicky-petitioner and Ritu Manro-respondent No.3 wanted to marry each other. However, their parents were against this marriage, as the petitioner belongs to 'Ramdasia' (Scheduled Caste), whereas respondent No.3 belongs to 'Khatri' caste. On 07.09.2013, respondent No. 3 left her house with the petitioner and thereafter, on 25.12.2013, they performed their marriage as per Sikh rites and rituals at Gurddwara Shri Teg Bahadur Sahib, Nanda Nagar, Indore (MP). At that time, Ritu-respondent No.3 had attained the age of majority. Thereafter, petitioner and respondent

No.3 filed Crl. Misc. No. M-2824 of 2014 before this Court seeking protection to their life and liberty, which was disposed of vide order dated 24.01.2014 (Annexure P-2). Thereafter, she filed a representation (Annexure P-3) to the Senior Superintendent of Police, Khanna, alleging that her parents were harassing her and that she had solemnized marriage with Vikramjit Singh-petitioner at her own free will and consent. Thereafter, the petitioner and respondent No.3 were provided protection by the police. The present FIR (Annexure P-1) has been got registered against the petitioner by Rakesh Manro-respondent No.2, father of Ritu-respondent No.3. Respondent No.3 had also executed an affidavit dated 02.04.2014, stating therein that she had wilfully married with the petitioner and now she is happily living with him in her in-laws.

Upon notice, Ritu Manro-respondent No.3 filed an affidavit on 29.08.2014, stating that there was apprehension to her life as well as to the life of her husband-Vikramjit Singh from the parents of both the parties. After registration of the FIR, an application was made to the Senior Superintendent of Police, Khanna for cancellation of the said FIR. During enquiry, she deposed before SI Jarnail Singh that she had gone at her own accord from the custody of her parents and had solemnized marriage with Vikramjit Singh @ Vicky-petitioner with her own free will, consent and without any pressure.

Learned counsel for respondent No.2 does not dispute that as per the matriculation certificate, annexed with the affidavit, her date of birth is 17.12.1995.

Keeping in view that she had attained majority on 17.12.2013 and on the date of her marriage she was major, continuation of criminal

proceedings in the present FIR would amount to an abuse of the process of Court.

Accordingly, FIR No.191 dated 08.09.2013, under Sections 363/366 IPC, registered at Police Station, City Khanna, is quashed with all consequential proceedings arising therefrom qua the petitioner.

Petition stands allowed accordingly.

(RITU BAHRI)
JUDGE

30.01.2015
ajp