

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Cr.M.No.M-16290 of 2013 (O&M)
DATE OF DECISION : 23.4.2015

Bir Singh alias Beru and another

PETITIONERS

VERSUS

State of U.T.Chandigarh and another

RESPONDENTS

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Shri S.K.Chaudhary, Advocate for the petitioners.

Shri A.S.Virk, Advocate Additional P.P. for U.T.Chandigarh.

MAHESH GROVER, J.

This petition has been filed under Section 482 Cr.P.C. for quashing F.I.R. No.79 dated 8.3.2013 registered under Sections 363,366,368 I.P.C. at Police Station Sector 31, Chandigarh.

Petitioner No.1 got married to Aarti who is daughter of respondent No.2. The F.I.R. and the allegations set out therein are the result of disgruntlement of respondent No.2 towards the aforesaid marriage of his daughter with petitioner

No.1.

Learned counsel for the petitioners contends that the marriage of petitioner No.1 with the daughter of respondent No.2 is subsisting and both of them are living together as husband and wife and the marriage itself has now been accepted by the parents of the girl namely Aarti.

This fact is not controverted by the learned counsel for the U.T.Chandigarh who has stated that separate statements of the girl and her mother have been recorded accepting the factum of marriage with no grievance against petitioner No.1 and Aarti.

If that be so, then I am of the view that persisting with the F.I.R. would not be in the interest of justice as in any eventuality, if the proceedings are taken to their logical end, it is not likely to result in the conviction of the accused. Besides, the facts would indicate that the marriage is without parental consent and the allegations are largely a result of the disgruntlement of a father.

For the aforesaid reasons, F.I.R. No.79 dated 8.3.2013 registered under Sections 363,366,368 I.P.C. at Police Station Sector 31, Chandigarh is quashed qua the petitioners and the petition is allowed.

April 23, 2015
GD

(MAHESH GROVER)
JUDGE