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

CRM-M-16479 of 2015

Date of Decision: September 03, 2015

Kamalpreet Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. M.S. Dhaliwal, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG Punjab.

None for respondent No.2.

SABINA, J.

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.75 dated 04.05.2015, under Sections 363, 366 of the Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Mathaur, District Sahibzada Ajit Singh Nagar, Mohali and all consequential proceedings arising therefrom.

Learned counsel for the petitioner has submitted that in fact, petitioner has performed marriage with Mannatpreet Kaur daughter of respondent No.2. Presently daughter of respondent No.2 is residing in her matrimonial home with the petitioner. FIR in question was lodged by the father of Mannatpreet Kaur.

Learned State counsel who is assisted by Assistant Sub Inspector Jagbir Singh has submitted that the cancellation report has been prepared in this case.

None has appeared on behalf of respondent No.2

despite service.

Mannatpreet Kaur is present in person and has been identified by Assistant Sub Inspector Jagbir Singh and has submitted that she has performed marriage with the petitioner of her own free will and is presently residing in her matrimonial home with the petitioner.

Annexure P-2 is the copy of the order passed in Crl. Misc. No.M-13791 of 2015, whereby, petition filed by the petitioner-Kamalpreet Singh and Mannatpreet Kaur for protection of their life and liberty was disposed of.

In the present case, FIR in question was got registered by the respondent No.2-father of Mannatpreet Kaur alleging that his daughter had been kidnapped by the petitioner. Since in the present case, petitioner has performed marriage with the daughter of respondent No.2, continuation of criminal proceedings against the petitioner would be nothing but an abuse on process of law. Rather continuation of criminal proceedings would have an adverse effect on the matrimonial life of the daughter of the respondent No.2.

Accordingly, this petition is allowed. FIR No.75 dated 04.05.2015, under Sections 363, 366 IPC, registered at Police Station Mathaur, District Sahibzada Ajit Singh Nagar, Mohali and all the consequential proceedings, arising therefrom, are quashed.

**(SABINA)
JUDGE**

September 03, 2015
mahavir