

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

CRM-M-2134-2015

Date of decision : 27.11.2015

Rajesh Kumar and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Subhash Kumar, Advocate,
for the petitioners.

Mr. Mehardeep Singh, DAG, Punjab,
assisted by ASI Gurinder Pal Singh.

Mr. Vishal Munjal, Advocate,
for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing of FIR No.74 dated 18.09.2014, registered under Sections 363A, 366, 120-B, 376 of the Indian Penal Code (for short 'the IPC'), at Police Station Kahnwa, District Pathankot, and all consequential proceedings arising therefrom.

It is contended that the daughter of the complainant was a petitioner before this Court in CRM-M-33394 of 2014, whereby, she

along with petitioner No.1 had sought protection after solemnizing marriage. She is now happily residing at her matrimonial home. The learned counsel further states that the daughter of the complainant is now at the advanced stage of pregnancy.

The learned State counsel, on instructions, states that the daughter of complainant-respondent No.2 solemnized marriage with petitioner No.1. After the solemnization of marriage, the daughter of the complainant has been residing at her matrimonial home, which is reflected in the reply filed on behalf of the State.

The fact that the daughter of the complainant is now major and voluntarily residing at her matrimonial home, which is reiterated in the reply filed by the State, this Court feels that the proceedings before the trial Court are nothing else, but a process to harass the petitioners and their family members. The daughter of the complainant is happily residing at her matrimonial home. In this fact situation, the proceedings are not likely to yield any result.

Accordingly, the present petition is allowed. FIR No.74 dated 18.09.2014, registered under Sections 363A, 366, 120-B, 376 IPC, at Police Station Kahnwa, District Pathankot, and all consequential proceedings arising therefrom are hereby quashed qua the present petitioner(s).

The State is further directed to ensure that the life and

liberty of the petitioners and their family members, including the daughter of the complainant, are protected.

27.11.2015

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(JITENDRA CHAUHAN)
JUDGE