

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

**Crl. Misc. No. M-27972 of 2015
Date of Decision: 22.12.2015.**

Harjinder Singh @ Rajinder Kumar @ GagiPetitioner

Vs.

State of Haryana and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Petitioner in person along with
Mr. S.K.Gupta, Advocate.

Ms. Trishanjali Sharma, AAG, Haryana.

None for respondent No. 2.

Mandeep-daughter of respondent No. 2 in person.

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SABINA, J.

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 167 dated 20.4.2015, under Section 363, 366-A of the Indian Penal Code, 1860 ('IPC' for short), registered at Police Station City Tohana, District Fatehabad (Annexure P-2) and all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner has submitted that petitioner has performed marriage with Mandeep-daughter of respondent No. 2 against the wishes of her family members.

Learned State counsel, on instructions from Assistant Sub Inspector Baljeet Singh, has admitted the factum of marriage of the petitioner with Mandeep-daughter of respondent No. 2.

Mandeep-daughter of respondent No. 2 (who has been identified by Assistant Sub Inspector Baljeet Singh who has come to assist the learned State counsel) has submitted that she has performed marriage with the petitioner of her own free will and is presently residing happily in her matrimonial home. She has further submitted that now she has gained the age of majority and is carrying a pregnancy of five months.

None has appeared on behalf of respondent No. 2 despite service.

Since in the present case, petitioner and the daughter of the complainant have performed marriage and are presently residing together, continuation of criminal proceedings would not serve any useful purpose. Rather, in case the criminal proceedings are allowed to continue, it will adversely affect the matrimonial life of Mandeep-daughter of respondent No. 2.

Accordingly, this petition is allowed. FIR No. 167 dated 20.4.2015, under Section 363, 366-A IPC, registered at Police Station City Tohana, District Fatehabad (Annexure P-2) and all the consequential proceedings, arising therefrom, are quashed.

**(SABINA)
JUDGE**

December 22, 2015
Gurpreet