

CRM-M-34444-2014

[1]

In the High Court of Punjab and Haryana at Chandigarh.

CRM-M-34444-2014

Date of Decision:18.08.2015

Baljeet and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ashish Pannu, Advocate,
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

None for respondent No.3.

SABINA, J.

Petitioners have filed this petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for quashing of FIR No.244 dated 17.09.2014, under Sections 363, 366-A of the Indian Penal Code, 1860 ('IPC' for short) registered at Police Station Narwana City, District Jind, Haryana and all consequential proceedings arising therefrom.

Learned counsel for the petitioners has submitted that in fact petitioners have performed marriage against the wishes of their parents. They had approached this court

seeking protection of their life and liberty and the said petition bearing Criminal Miscellaneous No.M-19518 of 2014 was disposed of by this court vide order dated 30.05.2014 (Annexure P-2). FIR in question was lodged by respondent No.3, who is the mother of petitioner No.2.

Learned State counsel has submitted that petitioner No.2 had appeared before the Magistrate and her statement was recorded under Section 164 Cr.P.C., wherein she had stated that her date of birth is 06.12.1995 and she had performed marriage with petitioner No.1 of her own free will and wanted to reside with her husband.

None has appeared on behalf of respondent No.3 despite service.

In the present case, the FIR in question was registered at the instance of respondent No.3 alleging therein that petitioner No.1 had performed marriage with her daughter on the basis of forged and fake documents. Since, in the present case, during investigation, it had transpired that petitioner No.2 had performed marriage with petitioner No.1 of her own free will and as per the Aadhar Card her date of birth is 06.12.1995 and the fact that presently they are residing together as husband and wife, continuation of criminal proceedings against them would not serve any useful

purpose.

Accordingly, this petition is allowed. FIR No.244 dated 17.09.2014, under Sections 363, 366-A IPC registered at Police Station Narwana City, District Jind, Haryana and all the consequential proceedings, arising therefrom, are quashed.

August 18, 2015
kapil

(SABINA)
JUDGE