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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35123 of 2014

Date of Decision: October 19, 2015

Vikas Kumar alias Banti

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. S.K. Gupta, Advocate
for the petitioner.

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

Mr. Jagjit Singh, Advocate
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.203 dated 14.08.2014, under Sections 363, 366-A of the Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Patran, District Patiala and all consequential proceedings arising therefrom.

Learned counsel for the petitioner has submitted that the petitioner has performed marriage with the niece of respondent No.2 against the wishes of her family members. Due to this reason, FIR in question was registered against the petitioner.

Today, Marjina Rani is present in person and has stated that she has performed marriage with the petitioner of her own free will and is presently residing happily in her matrimonial home.

Learned State counsel as well as learned counsel for respondent No.2, on the other hand have opposed the petition.

In the present case, petitioner No.2 is the maternal uncle of Marjina Rani. Marjina Rani has performed marriage with the petitioner of her own free will. It appears that the FIR in question was registered as the petitioner and Marjina Rani has performed marriage against the wishes of their family members.

Since presently Marjina Rani is residing happily in her matrimonial home, continuation of criminal proceedings against the petitioner would not serve any useful purpose and would rather have an adverse influence on the marital life of Marjina Rani.

Accordingly, keeping in view the facts and circumstances of the present case, this petition is allowed. FIR No.203 dated 14.08.2014, under Sections 363, 366-A IPC, registered at Police Station Patran, District Patiala and all the consequential proceedings, arising therefrom, are quashed.

(SABINA)
JUDGE

October 19, 2015
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