

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

CRM No. M-8602 of 2014 (O&M)

Date of Decision: 18.05.2015.

Harpal Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.S. Manhas, Advocate for the petitioner.

Mr. Mikhail Kad, AAG, Punjab.

Mr. Sandeep Lather, Advocate for the complainant.

....

TEJINDER SINGH DHINDSA.J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.132 dated 15.09.2013, under Sections 420/376 IPC, registered at Police Station Division No.2, Pathankot, District Gurdaspur.

Counsel appearing for the complainant as also for the accused (petitioner herein) are ad idem that the matter has been compromised and the complainant has now got married with the accused i.e. present petitioner on 02.12.2014.

Also placed on record is a report dated 28.04.2014 of the learned Chief Judicial Magistrate 1st Class, Pathankot in terms of which statements of the complainant and the accused have been recorded and it has been opined that the compromise has been arrived at between the parties.

Even though FIR was registered for an offence under Sections 420/376 IPC and the same would be construed to be heinous in nature, yet

keeping in view the fact that the parties are now living happily together as a married couple and such alliance has been entered into at the very initial stage and during the course of investigation, this Court would considered it to be a fit case to intervene in exercise of its powers under Sections 482 Cr.P.C. even as per guidelines furnished by the Hon'ble Supreme Court in ***Narinder Singh & others Vs. State of Punjab & another, 2014 (2) RCR (Criminal) 482.***

It may be apposite to take note that to demonstrate his bonafides towards the matrimonial alliance entered into, petitioner i.e. Harpal Singh has even deposited a sum of Rs.3 lacs in an FDR in the name of the complainant and in which nomination has been entered in the name of the mother of the complainant.

For the reasons recorded above, petition is allowed. FIR No.132 dated 15.09.2013, under Sections 420/376 IPC, registered at Police Station Division No.2, Pathankot, District Gurdaspur and all proceedings emanating therefrom stands quashed.

Petition allowed in the aforesaid terms.

18.05.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**