

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

CRM-M-22381-2016

Date of decision: 11.11.2016

Sandeep Moudgil

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Mukul Goyal, Advocate,
for the petitioner.

Mr. A.P.S. Gill, AAG, Punjab.

Respondent No.2-complainant in person.

Ritu Bahri, J.

Petitioner is seeking quashing of FIR No.49 dated 17.06.2015, under Sections 376/366/506 IPC, registered at Police Station, Phase-8, S.A.S. Nagar (Mohali).

The FIR was registered on the basis of statement made by Anu Radha-respondent No.2 she was working at Capital Call Center, Sector, 67, Mohali. She came in contact with Sandeep Moudgil-petitioner, who is working in the marketing field of Tata Tea Company. Thereafter, they became friends. However, on the pretext of solemnizing marriage, he (petitioner) had been committing rape upon her since 2013. When she was 5-6 months pregnant, he had gone Rohtak to meet his parents and never came back. In this background, the FIR was registered.

At the stage of final arguments of the trial, the matter has been

only compromised between the parties. Complainant-respondent No.2 has

delivered a baby boy during this period.

During trial, Anu Radha-respondent No.2 appeared as PW-4 and deposed that despite the fact that petitioner and respondent No.2 were having live in relationship, their marriage was opposed by father of the petitioner as they belong to different caste. However, after the birth of child, the parties have now resolved the matter amicably.

Learned counsel for the petitioner has placed on record an affidavit dated 29.07.2016 given by Anu Radha-complainant, wherein it has been stated that she has filed a complaint against Sandeep Moudgil-petitioner. They were in love with each other. But, his family was not allowing him to marry her. Therefore, she lodged a complaint against Sandeep Moudgil. But, now the matter has been amicably resolved between them and parents of Sandep Moudgil have accepted her. She is happily residing with them. They have promised that they will solemnize her marriage with their son Sandeep Moudgil. Now, she has no grudge against Sandeep Moudgil.

Complainant-respondent No.2 is present in Court today. She has placed on record photocopy of voter identity card. On a specific query put by the Court, she states that she is staying happily with Sandeep Moudgil and their marriage will be solemnized in the month of April, 2017.

Investigating Officer ASI Baljinder Singh is present in Court. Photocopy of affidavit of the complainant has been given to the Investigating Officer along with identity proof.

Keeping in view that the petitioner and complainant (respondent No.2) are young and they have decided to look after their infant child by solemnizing marriage, this Court is of the view that no useful purpose

would be served in prolonging the litigation.

Accordingly, FIR No.49 dated 17.06.2015, under Sections 376/366/506 IPC, registered at Police Station, Phase-8, S.A.S. Nagar (Mohali), is quashed with all consequential proceedings arising therefrom qua the petitioner. However, the Investigating Officer will record the statements of both the parties in the first week of May, 2017 to the effect that petitioner and respondent No.2 have solemnized their marriage.

The petition stands disposed of accordingly.

11.11.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No