

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRM No. M-24293 of 2016
Date of decision: 16.12.2016**

Balvir Singh alias Beeri

..Petitioner

Versus

State of Punjab and Others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Gurcharan Dass, Advocate for the petitioner.

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

Mr. H.S. Kaler, Advocate for respondent No. 3.

RITU BAHRI, J.(ORAL)

The petitioner is seeking quashing of FIR No. 213, dated 21.10.2010, under Sections 363, 366A IPC registered at Police Station Sadar Khanna, District Ludhiana.

Counsel for respondent No. 3 has put in appearance and states that as per affidavit Annexure P-11 on 21.09.2010 she accompanied with the petitioner with her own free will and thereafter, they solemnized marriage on 22.09.2010 at Shimla as per Hindu rites and customs. Out of this wedlock a female child namely Love Preet Kaur was born on 29.07.2011 and another female child namely Jaismin Kaur was born out on 05.08.2012 and necessary birth certificates have been issued by Sub-Registrar, Births & Deaths, Municipal Corporation, Shimla. She is residing with the petitioner as wife since 22.09.2010. Petitioner Balvir Singh alias Beeri- was declared proclaimed offender by Judicial Magistrate First Class, Khanna on 16.07.2011.

Thereafter petitioner was arrested on 26.09.2011 and he has been released on bail.

Keeping in view, the fact that respondent No. 3 is happily residing with the petitioner and has given birth to two children. No useful purpose would be served by continuance of criminal proceedings against the petitioner.

Petitioner and respondent No. 3 are present in the Court today along with their children and they are residing happily together.

Accordingly, FIR No. 213, dated 21.10.2010 under Sections 363, 366A IPC registered at Police Station Sadar Khanna, District Ludhiana (Annexure P-1) and all the proceedings arising therefrom are quashed.

Petition is allowed.

December 16, 2016

Poonam (II)

**(RITU BAHRI)
JUDGE**

Whether speaking/reasoned:

Yes

Whether reportable

No