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

CRM-M-29683-2016
Date of decision : 21.10.2016

Manpreet Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vivek Salathia, Advocate
for the petitioners.

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

Mr. Upender Prasher, Advocate for
Mr. Vikas Gupta, Advocate
for respondents No.2.

RITU BAHRI, J.(Oral)

The petitioners are seeking quashing of FIR No.80 dated 01.06.2016, under Sections 363, 366, 376 and 120-B IPC, registered at Police Station, B-Division Amritsar District, Amritsar (Annexure P-1) on the basis of compromise dated 12.07.2016 (Annexure P-4).

The FIR was registered on the basis of statement made by respondent No.2-Manpreet Kaur against the accused-petitioners to the effect that petitioner No.1-Manpreet Singh had solemnized marriage with respondent No.2, which was not in the knowledge of petitioner No.2-Amarjit Kaur mother of petitioner No.1 and out of the wedlock a son was born, who is aged around 1 year and 4 months. The true copy of the birth certificate of the minor child indicating the parentage of the minor child as well as the Aadhar Card of respondent No.2 showing wife of petitioner No.1 is attached

alongwith the present petition and are marked as Annexure P-2 and Annexure P-3. Since the marriage between the parties (petitioner No.1 and respondent No.2) was a secret marriage, a dispute arose between them and due to this reason, the said FIR has been registered by respondent No.2.

During the pendency of the trial, with the intervention of respectable persons of the locality, the matter has now been resolved between the parties on the basis of compromise deed 12.07.2016 (Annexure P-4) and now the marriage has been accepted by the family of the petitioner No.1.

In compliance with the order dated 26.08.2016 passed by this Court, the parties have got recorded their statements before the trial Court. Report dated 27.09.2016 from the Judicial Magistrate First Class, Amritsar has been received, in this regard. As per report, respondent No.2 made her statement to the effect that with the intervention of the respectable persons, she has compromised the matter with the accused-petitioners without any pressure. She has no objection if, the above said FIR is quashed. Statements of the petitioners were also recorded to the same effect. In view of the separate statements of the parties, the Court is satisfied that the compromise is valid and genuine one.

Consequently, in view of the status report and the judgement of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot s. State of Punjab 2008 (2) RCR (Criminal) 429,** the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab and another 2007(3) RCR (Crl.) 1052,** this Court is of the view that no useful purpose would be served in the prolonging the litigation.

Accordingly, FIR No.80 dated 01.06.2016, under Sections 363, 366, 376 and 120-B IPC, registered at Police Station, B-Division, Amritsar District, Amritsar is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of, accordingly.

(RITU BAHRI)
JUDGE

October 21, 2016
Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

No