

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No. M-32251 of 2016(O&M)

Date of Decision: 04.11.2016

Khushi Parveen @ Anjali and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Davinder Kumar, Advocate
for the petitioners.

Mr. Manish Bansal, DAG, Haryana

Mr.J.S. Bagga, Advocate
for respondents No. 6 to 9

HARI PAL VERMA J.(Oral)

Crl. Misc. No. 34413 of 2016

This is an application filed by respondents No. 6 to 9 to place on record the affidavit of respondent No. 6 – Meena w/o Ram Singh. As per affidavit petitioner No. 1 is a minor girl. Her date of birth is 11.11.1999. The petitioners are resident of Saharanpur and have lived in Saharanpur only for their entire life and were never resident of State of Haryana. Though petitioner No. 2 namely Margoob is aged about 30 years and is already married with Smt. Mahjavi, who is legally wedded wife of petitioner No. 2 and out of that wedlock 5 years son namely Rihan was born. He has not taken any permission from his wife Mahjavi for contracting the second marriage. The affidavit is taken on record.

Affidavit of Mahjavi resident of Sarai Sahasu, Near Islamia Inter College, P.S. Kutubsher Saharanpur has also been filed. In the affidavit it has been stated that Mahjavi is legally wedded wife of petitioner No. 2-Margoob Aalam and they got married on 21.04.2011 as per Muslim rites and ceremonies. They have

one son out of this wedlock aged 5 years namely Rihan. An FIR No. 344 dated

10.09.2016 under Section 363 IPC is registered against him at P.S. Kutubsher, Saharanpur (U.P.) against petitioner No. 2.

Criminal Miscellaneous application is allowed and reply by way of affidavit of respondent No. 6 alongwith Annexures R 6/1 to R 6/4 are taken on record subject to all just exceptions.

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When confronted with the aforesaid affidavit of respondent No. 6 and the affidavit of Mahjavi wife of petitioner No. 2 Margoob, learned counsel for the petitioner does not press this petition and wishes to withdraw the same.

The petition is dismissed as withdrawn.

Consequently the order passed on 16.09.2016 passed by this Court loses its significance.

Copy of the order be given to State counsel under the signatures of Bench Secretary.

(HARI PAL VERMA)
JUDGE

November 04, 2016
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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No