

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

**CRM-M-40795-2015
Date of decision: 14.12.2016**

Parteek Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vinod Bhardwaj, Advocate,
for the petitioner.

Mr. J.S. Riar, AAG, Punjab.

Mr. B.S. Brar, Advocate,
for respondent No.2.

Ritu Bahri, J.

The petitioner is seeking quashing of FIR No.119 dated 18.09.2015, under Sections 363/366 (A) IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station, Shambhu, District Patiala (Annexure P-5).

Navneet Kaur-respondent No.2 (daughter of Inderjit Singh-complainant) fell in love with the petitioner and thereafter, they solemnized marriage on 24.09.2015 against the wishes of their parents, as they were threatening to kill the petitioner and respondent No.2. Certificate of marriage has been annexed with the petition as Annexure P-1. Thereafter, they approached this Court by filing CRM-M-33487-2015, which was

disposed of on 30.09.2015 (Annexure P-2) by giving direction to the Senior Superintendent of Police, Patiala, to protect the life and liberty of the petitioners. As per matriculation certificate (Annexure P-3), date of birth of Navneet Kaur-respondent No.2 is 19.11.1997 and she was few days less than 18 years at the time of marriage. At present, she is more than 18 years of age.

Upon notice, Navneet Kaur-respondent No.2 has filed an affidavit dated 06.01.2016, stating therein that the aforesaid FIR has been got registered by her father. She had left her house with her own free will and consent in order to solemnize marriage with Parteek Singh-petitioner. At present, she is living happily with her husband after marriage and he never pressurized her for the marriage. She was never kidnapped by the petitioner.

Separate reply on behalf of respondent No1, by way of affidavit of Deputy Superintendent of Police, Ghanour, has been filed, wherein it has been stated that after registration of the FIR, whereabouts of the petitioner and respondent No.2 were not known.

Learned State counsel, on instructions, has informed that the petitioner has not joined the investigation till date.

As per certificate (Annexure P-3, date of birth of Navneet Kaur-respondent NO.2 is 19.11.1997. As of today, she is 19 years of age and is residing happily with her husband (petitioner) in the matrimonial house. Moreover, as per affidavit dated 06.01.2016 tendered by Navneet Kaur herself, she had left the house of complainant (her father) out of her own free will and thereafter, performed marriage with the petitioner. She was not kidnapped by the petitioner.

In these circumstance, continuation of criminal proceedings

would be nothing, but an abuse of the process of law and no purpose would be served in prolonging the litigation.

Accordingly, FIR No.119 dated 18.09.2015, under Sections 363/366-A IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station, Shambhu, District Patiala, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

14.12.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No