

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25095 of 2016
Date of Decision: 28.03.2017

Johny Masih

.....Petitioner

Vs.

State of Punjab and others

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Mohd.Yousaf,Advocate, for the petitioner.
Mr.A.P.S.Gill, AAG, Punjab.
Mr.Rajni Morya, Advocate, for
Mr.Naveen Batra, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition filed under Section 482 Cr.P.C. for quashing of the FIR No.93 dated 01.07.2016 for the offence under Sections 363, 366-A, 506 IPC registered at Police Station Model Town Hoshiarpur, District Hoshiarpur (Annexure P-1) alongwith all the subsequent proceedings arising therefrom.

The petitioner had solemnized the marriage with respondent No.3-Suman. The date of birth of respondent No.3 was 07.07.1998 at the time of incident and as of today she is major.

On notice, reply has been filed by DSP, Sub Division City, Hoshiarpur, stating therein that statement of respondent No.3 has been recorded under Section 164 Cr.P.C., in the Court of learned JMIC Hoshiarpur, on 05.08.2016. The petitioner was granted interim bail by the Hon'ble High Court and the petitioner has joined the investigation with the police on 22.08.2016. Respondent No.3 was minor when the petitioner took away the respondent No.3 from the lawful custody of the respondent No.2.

identified byHC Jagdish Lal. On a specific query by this court, she states that she is happily residing with petitioner as wife in her matrimonial home.

Keeping in view the above and considering the fact that she is now major, FIR No.93 dated 01.07.2016 for the offence under Sections 363, 366-A, 506 IPC registered at Police Station Model Town Hoshiarpur, District Hoshiarpur (Annexure P-1) is quashed alongwith all the subsequent proceedings arising therefrom qua the petitioner.

(RITU BAHRI)
JUDGE

28.03.2017
anil

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