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

**CRM-M-29045 of 2016
Date of decision : 01.05.2017**

Rashpal Singh @ Lucky

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.R. Punia, Advocate
for the petitioner.

Mr. J.S. Sidhu, AAG, Punjab.

RITU BAHRI, J.(Oral)

The petitioner is seeking quashing of FIR No.78 dated 08.10.2015, under Sections 363, 366 IPC registered at Police Station, Bholath, District Kapurthala. The petitioner was arrested on the statement made by respondent No.3-Sher Mohamad @ Mohd. Shera alleging that his daughter-Salma @ Jatti, who is 16 years of age, has been enticed away by the petitioner on 06.10.2015 and she will recovered from his custody.

At the time of notice of motion, it has been observed that the petitioner had solemnized marriage with Salma @ Jatti, daughter of respondent No.3 and protection in this regard in CRM-M-25212 of 2016 was granted vide order dated 27.08.2016 by this Court and after marriage they are residing happily with each other.

On notice reply filed by the Deputy Superintendent of Police, Sub Division, Bholath, District Kapurthala on behalf of respondents No.1 and 2 stating that the victim-Salma @ Jatti, daughter of the complainant has

not been recovered during the investigation and the order passed by this Court in CRM-M-25212 of 2016 is being admitted.

Keeping in view that they had sought protection from this Court on 26.10.2016 and counsel for respondent No.3, despite being served, neither put in appearance. The fact stated in the petition that after the marriage of the petitioner with Salma @ Jatti, they have blessed with a girl child, is taken to be correct stands admitted.

In view of the above facts, the petition is allowed and the FIR No.78 dated 08.10.2015, under Sections 363, 366 IPC registered at Police Station, Bholath, District Kapurthala, is being quashed.

(RITU BAHRI)
JUDGE

May 01, 2017
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No