

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

**Crl. Misc. No. M-4222 of 2017
Date of decision : 30.05.2017**

Naveen and anr.Petitioners

versus

State of Haryana and anr. ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. B.S Dhull, Advocate
for the petitioners

Ms. Manpreet Dhaliwal, AAG, Punjab

RITU BAHRI, J. (Oral)

Petitioners are seeking quashing of FIR No.0225, dated 09.09.2016, registered at Police Station Barauda, District Sonapat, under Sections 365 IPC (lateron converted into under Section 363/366-A IPC) on the ground that petitioner No. 1 has solemnized marriage with petitioner No. 2 and they are staying happily with each other as husband and wife.

This Court in CRM-M-212-2017 vide order dated 16.01.2017 granted the regular bail to petitioner No. 1 as learned State counsel has informed the Court that petitioner No. 2 is residing in Nari Niketan Karnal and as per her statement under Section 164 Cr.P.C she wants to live with petitioner No. 1. Thereafter, on 01.02.2017, petitioner No. 2-Meena was ordered to be sent with paternal uncle of petitioner No. 1 i.e Surender Singh, who is retired from B.S.F.

Today learned counsel for the petitioner submits that now petitioner No. 2 has attained majority and petitioners have solemnized the

marriage.

Thus, petitioner No. 1 has neither kidnapped petitioner No. 2 nor has committed wrong act with the prosecutrix. She is living happily with him.

Keeping in view the fact that now petitioner No. 2 is residing happily with petitioner No. 1, the present petition is allowed and FIR No.0225, dated 09.09.2016, registered at Police Station Barauda, District Sonapat, under Sections 365 IPC (lateron converted into under Section 363/366-A IPC) is quashed along with all consequential proceedings qua petitioners, in view of the judgment of the Hon'ble Supreme Court in cases **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429** **and** the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052** as no useful purpose would be served in prolonging the litigation once the daughter of the complainant is residing happily with the petitioner No. 1 as his wife.

30.05.2017

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No