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

**CRM-M No. 8986 of 2013
Date of Decision: 24.10.2017**

Narvair Singh and another

..... Petitioners

Versus

Baldev Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sanjiv Gupta, Advocate,
for the petitioners.

None for respondent No. 1/complainant.

Mr. Hittan Nehra, Additional Advocate General, Punjab,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

Both the petitioners along with Rajwant Kaur, wife of petitioner No. 1, are present in the Court today, in compliance of the earlier orders passed on 10.08.2016 and 16.11.2016.

2. No one has put in appearance on behalf of respondent No. 1/complainant.

3. Process under Sections 363 and 366-A of the Indian Penal Code was ordered to be issued by the Ld. Judicial Magistrate Ist Class, Samana, in the complaint filed on behalf of respondent No. 1/complainant

alleging that his minor daughter Rajwant Kaur had been kidnapped by the petitioners.

4. The said lady, who is present in the Court, submits that she had voluntarily left the parents' custody and married petitioner No. 1 in the year 2009 and since then she is residing happily in her matrimonial home and a female child has also been born to them out the wedlock.

5. It further transpires that a Cancellation Report was submitted by the Police after due investigation in the F.I.R. concerning the same allegations lodged on behalf of respondent No. 1/complainant earlier. He has not appeared to controvert the submissions advanced before this Court and in fact has been absented from the proceedings continuously for more than four years, since 29.08.2013.

6. In the given circumstances, continuation of the criminal complaint filed by respondent No. 1/complainant in the Ld. Court below would certainly appear to be an abuse of the process of Court.

7. For the above reasons, the instant petition under Section 482 of the Code of Criminal Procedure is allowed and all further proceedings arising out of the criminal complaint (Annexure P-8) filed in the Ld. Court below are ordered to be quashed forthwith.

24.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No