

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5558 of 2017
Date of Decision: 03.05.2017

Saroj and others

.....Petitioners

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Jaswinder Singh, Advocate for the petitioners.

Mr.J.S.Riar, AAG Punjab.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.14 dated 31.01.2014, for the offence under Sections 363, 366-A, 368, 120-B IPC registered at Police Station Naya Gaon, District SAS Nagar (Mohali) (Annexure P-1) along with all consequential proceedings arising therefrom qua the petitioners.

Petitioner No.3-Puneet has solemnized the marriage with the daughter of the complainant namely Pooja. Since, it was an inter-caste marriage, they approached this Court for protection and vide order dated 29.01.2014 passed in CRM-M-3291 of 2014 (Annexure P-2), they have been granted protection of their lives and liberty.

The FIR has been registered by the father of Pooja with the allegations that his daughter had been kidnapped. The petitioner had placed on record the statement of Pooja made on 02.03.2015 (Annexure P-4) in

which she had made a statement that she has solemnized her marriage with

Puneet Kumar-petitioner No.3 with her own consent. Puneet Kumar-petitioner No.3 had not kidnapped her and her father had lodged a false FIR against Puneet Kumar-petitioner No.3 and his family members. Actually, she had gone with Puneet Kumar with her own consent. As per school leaving certificate, the date of birth of Pooja is 19.11.1997 and she had attained her majority in November, 2016.

Puneet Kumar-petitioner No.3 and Pooja is present in Court who has been identified by Investigation Officer present in Court. On a specific query, she stated that she is residing with the Puneet Kumar as husband and wife and both are leading a happy married life.

Keeping in view the above and considering the fact that Pooja has attained her majority and her statement (Annexure P-4), FIR No.14 dated 31.01.2014, for the offence under Sections 363, 366-A, 368, 120-B IPC registered at Police Station Naya Gaon, District SAS Nagar (Mohali) (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

03.05.2017
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>