

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7370-2017 (O&M)
Date of Decision:- 26.04.2017

Gulshad Ali

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Mohd. Yousaf, Advocate, for the petitioner.

Mr. APS Gill, AAG, Punjab.

Mr. Hargobinder Gill, Advocate
for respondent No.2.

Mr. R.S. Modi, Advocate
for respondent No.3.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.369 dated 12.11.2016, under Sections 363 and 366 IPC (offence under Section 376 IPC added later on), registered at Police Station Zirakpur, District Mohali and all the consequential proceedings arising therefrom.

Learned counsel submits that the petitioner has performed marriage with respondent No.3 on 22.08.2016 against the wishes of respondent No.2-complainant and the certificate of their marriage is Annexure P-1. Photographs taken during the marriage is Annexure P-2.

Present FIR has been registered against the petitioner on a complaint made by respondent No.2. During investigation of the case, respondent No.3 never appeared before the police rather sent an e-mail to the police regarding cancellation of the FIR. Thereafter without considering the facts of the case and version of the prosecutrix, the police has filed the challan against the petitioner.

Upon notice, reply has been filed by daughter of complainant (respondent No.3) stating therein that she performed marriage with the petitioner on 22.08.2016 and also got protection from this Court, vide order dated 15.03.2017 (Annexure R-3/1). Further she had gone with the petitioner with her own free will and without any pressure and has performed marriage against the wishes of her mother (respondent No.2) and other family members. Respondent No.2 has lodged the false and frivolous case against my husband (petitioner).

Keeping in view the reply filed by respondent No.3 and the fact that daughter of complainant is residing happily with the petitioner, no useful purpose would be served in prolonging the litigation further and FIR No.369 dated 12.11.2016, under Sections 363 and 366 IPC (offence under Section 376 IPC added later on), registered at Police Station Zirakpur, District Mohali and all the consequential proceedings arising therefrom against the petitioner are hereby quashed.

The present petition stands disposed of.

April 26, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No