

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

CRM-M-38825-2018

Date of decision: 06.09.2018

Kuljeet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.N.S. Dandiwal, Advocate,
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 482 Cr.P.C. for quashing of FIR No. 47 dated 22.02.2018 under Sections 307, 452, 363, 366-A IPC (Sections 376, 120-B were added later on) registered at Police Station City South Moga, District Moga.

Learned counsel for the petitioner would contend that after the registration of the FIR under Sections 363 & 366 IPC, offences under Sections 376 IPC and 120-B IPC have been added later on. Learned counsel for the petitioner contends that the matter in fact has been compromised wherein it has been decided that petitioner would solemnize his marriage with the daughter of the complainant. It is argued that the FIR was only registered on the ground that the minor daughter of the complainant (now a

major) had been taken away on the pretext of marriage. It is contended that the complainant and the family members of the petitioner herein are ready to solemnize a marriage between the parties and, therefore, all proceedings that have been initiated under the FIR are on the basis of misunderstanding, which arose.

Learned counsel for the petitioner also contended that as on date investigation in the case is incomplete and challan has not been presented so far.

Notice of motion.

Ms. Seena Mand, learned DAG, Punjab has accepted notice on behalf of respondent-State. Learned counsel for the petitioner undertakes to supply adequate number of copies of the petition to the State counsel during the course of the day.

Appearance has been caused by Mr. I.S. Dhaliwal, Advocate, on behalf of the complainant/respondent No.2, who admit to the fact that a compromise between the parties has been arrived at and a marriage has to be solemnized between them and he would have no objection in case the FIR against the petitioner is quashed.

I have heard learned counsel for the parties and in view of the fact that the investigation is incomplete and the challan has yet not been presented, the parties are directed to appear before the Investigating Officer and suffer statement to this effect, who would then act in accordance with law.

Since the petitioner himself is in custody his statement be recorded through his power of attorney, namely, his father.

The instant petition has been disposed of accordingly.

06.09.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.