

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

262

CRM-M-23054-2019

Date of Decision:09.09.2019

Surinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Raj Kumar Arya, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab,
for respondent No.1.

Ms. Sukhveer Kaur, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0064 dated 08.08.2018 under Sections 376, 420 IPC, registered at Police Station Tibber, District Gurdaspur (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

Notice of motion was issued in the case.

Pursuant thereto, learned State Counsel has filed reply by way of affidavit of Sh. Rajesh Kakkar, PPS, Deputy Superintendent of Police, City Gurdaspur, on behalf of respondent No.1-State, which is taken on record.

As per reply, statement of respondent No.2-complainant-Kuldeep Kaur was recorded and on the basis of her statement, cancellation

report was prepared by SHO, Police Station Tibber on 14.02.2019 and the

same is likely to be presented in the trial Court. The relevant paragraph 2 of the reply reads as under:-

“That the respondent No.2 had filed an application before the office of SSP/Gurdaspur for taking action against Surinder Singh regarding developing sexual relations with the complainant on the pretext of solemnizing marriage. The inquiry of the said complaint was got conducted by the Deputy Superintendent of Police, Control Room, Gurdaspur. The Enquiry Officer recommended that the case may be registered against Surinder Singh (petitioner). As per the recommendation, a case FIR No.64 dated 08.08.2018 under section 376 IPC at Police Station Tibber was registered against him. During the investigation, the complainant got recorded her statement under section 164 Cr.P.C. before the court of Archana Kamboj, JMIC, Gurdaspur on 19.01.2019 wherein she stated that “Now she is married to the petitioner and living with her husband Surinder Singh (petitioner) at Jammu so she does not want any action against him.” As per the statement of the complainant/respondent No.2 the cancellation report was prepared by SHO Police Station Tibber on 14.02.2019 and will be shortly presented in the learned trial court.”

In view of the above, the present petition is rendered infructuous.

Dismissed as infructuous.

It is expected that in terms of the affidavit/reply so filed, the State shall make an endeavour to file the cancellation report preferably within a period of three months from today.

September 09, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No