

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

CRM-M-25488-2019
Date of decision:7.11.2019

SHIVA BEDI AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Naveen Bawa, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab
assisted by ASI Jaspal Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners have approached this Court seeking quashing of FIR No.29 dated 28.3.2019 under Sections 384, 376, 506 IPC and Sections 67-A Information Technology Act, Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur on the ground that matter has been amicably resolved amongst the parties and that the complainant has no objection for quashing of the FIR and all the consequential proceedings arising therefrom.
2. The FIR was lodged at the instance of respondent No.2-Suman, aged

about 24 years wherein it has been alleged that about 4 years back she came in contact with petitioner No.1-Shiv Bedi and they became friends and fell in love with each other. It is alleged that petitioner No.1 held out a promise that he would marry her and also established physical relations, but later on did not keep his compromise and rather started threatening her. It is alleged that even the parents of petitioner No.1 i.e. petitioner No.2-Manju Bedi and petitioner No.3-Seema Bedi also extended threats to her.

3. Learned counsel for the petitioners has submitted that the FIR came to be lodged under some misunderstanding which has now been resolved and in fact the complainant i.e. respondent No.2 has solemnized marriage with petitioner No.1-Shiva Bedi and both are living as husband and wife. Learned counsel in this regard has drawn attention of this Court to a marriage certificate (Annexure P-4) issued by a priest of the temple where marriage was solemnized and also to the photographs of marriage annexed as Annexure P-5 and to a copy of order dated 22.5.2019 passed in CWP-13682-2019 wherein the complainant as well petitioner No.1 had approached this Court seeking protection of their lives, consequent upon solemnization of their marriage.
4. Pursuant to directions issued by this Court, statements of the parties have been recorded by the trial Court/ Illaqa Magistrate wherein the complainant i.e. respondent No.2-Suman has categorically stated that the matter has been compromised and that she has no objection for quashing of the FIR.

5. Having regard to the aforestated position wherein it is evident that the complainant has solemnized marriage with petitioner No.1-Shiva Bedi and in fact the FIR itself shows that respondent No.2 and petitioner No.1 were in love with each other and it was subsequent on account of petitioner No.1 not having agreed for marriage that FIR came to be lodged, in my opinion, forcing the petitioners to face trial would not serve any useful purpose and would be an exercise in futility. Further in order to ensure that cordiality is maintained amongst the parties especially since petitioner No.1 had already solemnized marriage with complainant/respondent No.2-Suman, it would certainly be in fitness of things that the FIR and consequential proceedings be quashed. Accordingly, the petition is allowed and FIR No.29 dated 28.3.2019 under Sections 384, 376, 506 IPC and Section 67-A Information Technology Act, Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

7.11.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No