

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

CRM-M-28624 of 2017.

Decided on:- January 23, 2020.

Jaskarandeep Singh.

.....Petitioner.

Versus

State of Punjab and others

.....Respondents.

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

Present:- Mr. Pradeep Virk, Advocate for
Mr. Mohd. Yousaf, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.73 dated 22.08.2014 under Sections 363 and 366-A IPC registered at Police Station City Malerkotla, District Sangrur and all subsequent proceedings arising therefrom.

On August 08, 2017, while issuing notice of motion in the case, this Court had passed the following order:

“It is contended that the offence under Section 363 and 366 of the IPC are not made out since the petitioner and respondent No.3 performed marriage out of their own choice and even they sought protection of this Court by filing of CRM-M-29516-2014, which protection was given to them by an order dated 01.09.2014. In a Habeas Corpus petition, i.e. CRWP-211-2016 filed by the complainant, the detenue namely Amandeep Kaur, the wife of the petitioner, made a statement that she was

residing happily with her husband of her own free will and was not interested in retuning to her parental home. Counsel for the petitioner further submits that the challan has not been presented so far.

Notice of motion fro 22.11.2017.

Notice regard stay as well.

In the meantime, presentation of the challan is stayed till the next date of hearing.”

Learned State counsel has filed status report in the case, which is taken on record. On the strength of status-report, she submits that the statement of respondent No.3 Amandeep Kaur was recorded under Section 164 Cr.PC, wherein she stated that she is happily staying with the petitioner. Moreover, the police has prepared a cancellation report in the case, which is likely to be presented before the trial Court.

In view of the above statement made by learned State counsel, the present petition is disposed of at this stage.

However, in case the cancellation report submitted by the police is not accepted, the petitioner would be at liberty to file a fresh petition seeking quashing of the FIR in question.

January 23, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No