

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16367-2019 (O&M)
Date of Decision: January 30, 2020

Mohd. Akil

..... Petitioner

VERSUS

State of Haryana and another

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Afzal Hussain, Advocate
for the petitioner.

Ms. Mahima Yashpal, Asst. A.G., Haryana.

JAISHREE THAKUR, J.(Oral)

This is a petition that has been filed under Section 482 Cr. P.C. for quashing of the FIR No. 40 dated 24.04.2018 under Sections 363, 366-A, 506 IPC and Section 6 of the POCSO Act registered at Women Police Station Mewat, District Nuh, Mewat.

Learned counsel for the petitioner would contend that the allegations as set out in the FIR are totally false and fabricated and that no offence has alleged is made out.

Pursuant to the notice of motion, a reply has been filed by Anil Kumar, HPS, DSP, Nuh, District Nuh on behalf of the respondent-State wherein it has been stated that the matter has been investigated and during the course of investigation, the statement of the victim under Section 164 Cr.P.C. was recorded on 30.05.2019 before the Illaqa Magistrate, wherein

she categorically stated that she was under the pressure of her family members and left her house of her own free will and got her marriage solemnized with Mohd. Akil-the petitioner herein, while further stated that after marriage she wanted to reside with the petitioner.

Learned counsel for the respondent-State submits that in view of the statement of the victim, a cancellation report has been prepared on 21.12.2019 and will be presented to the Illaqa Magistrate shortly.

I have heard learned counsel for the parties and perused the pleadings and the enquiry report, which is placed on the record. Based on the fact that a cancellation report has been prepared, no further orders are called for, as the present petition has rendered infructuous. However, while disposing of the instant petition, it is left open to the petitioner to re-agitate the matter in case the cancellation report is not accepted.

January 30, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.