

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.11805 of 2021
Date of Decision: March 16, 2021

Akashpreet Singh & others

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gagandeep Singh Sirphikhi, Advocate,
for the petitioners.

MANOJ BAJAJ, J. (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.192 dated 25.09.2020, under Sections 365, 376-D, 120-B and 506 IPC, 1860, registered at Police Station, Chheharta, District Amritsar on the basis of compromise dated 01.03.2021 (Annexure P-8).

During the course of hearing, it is not disputed by the learned counsel for the petitioners that previously similar petition filed by Akashpreet Singh for quashing of the FIR on the basis of compromise dated 12.12.2020 was dismissed vide order dated 14.01.2021 (Annexure P-4). He submits that at that stage, the investigation in the case was pending and subsequent to this order, petitioner Akashpreet Singh has married the victim on 07.02.2021. In this regard, he has invited the attention of the court to the photographs (Annexure P-6). He contends that by way of compromise dated 01.03.2021 (Annexure P-8), the parties have settled the dispute, therefore,

the subject FIR be quashed.

After hearing the learned counsel for the petitioners and considering the seriousness of the offences, this court does not find it to be a fit case for exercising the inherent powers under Section 482 Cr.P.C. at this stage as the alleged marriage of Akashpreet Singh with the victim requires proper mode of proof and mere photographs may not be enough to establish the valid marriage. Even otherwise, the date of occurrence is prior to the alleged marriage between the parties and, therefore, this circumstance alone may not be sufficient to accept the prayer for quashing of FIR.

Resultantly, the petition is dismissed.

March 16, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No