

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

141

CRM-M-24345-2021 (O&M)
Decided on : 05.07.2021

RAJ KUMAR ALIAS RAJU

. . . Petitioner

Versus

STATE OF UT CHANDIGARH AND ORS

. . . Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)

PRESENT: Mr. Karan Singla, Advocate
for the petitioner(s).

Mr. Shashank Bhandari, Additional PP UT Chandigarh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., for quashing of FIR No.108 dated 14.05.2020 under Sections 363 and 366 of the IPC registered at Police Station Mauli Jagran, Chandigarh.

Learned counsel contends that during the investigation it had come to light that respondent No.3 had left her parental home of her own accord and thereafter married the petitioner. Learned counsel while inviting the attention of this Court to the statement of the prosecutrix made under Section 164 Cr.P.C., (Annexure P-3) submits that the aforementioned fact stands duly corroborated in the said statement.

Learned counsel submits that subsequent to the marriage having been solemnized between the parties, the victim had been residing with his parents in their house at Ludhiana, hence, the continuation of the criminal proceedings would be an exercise in futility.

Heard and perused the material on record.

Prima facie, the allegations levelled in the FIR in question do

disclose the commission of an offence under Sections 363 and 366 of the IPC, which are non-compoundable offences. Challan already stands presented before the trial Court. This Court, therefore, finds no ground to invoke its inherent powers under Section 482 Cr.P.C., to quash the FIR in question. Needless to add, all the pleas raised in the instant petition can be taken up by the petitioner before the trial Court during trial.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

July 05, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>