

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

131

CRM-M-24082-2021 (O&M)

Decided on : 28.07.2021

SUKHDEEP SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

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

PRESENT: Mr. B.R. Rana , Advocate
for the petitioner(s).

Mr. Vipin Kumar, Advocate for respondent.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing the FIR No.70 dated 05.05.2021 under Sections 363, 366-A IPC (Section 376 IPC and Section 4 POCSO Act added later on) registered at Police Station Ladhuwal, District Ludhiana and all consequential proceedings arising therefrom on the basis of compromise dated 04.06.2021 (Annexure P-2).

Learned counsel submits that subsequent to the registration of the FIR in question, petitioner-Sukhdeep Singh by embracing *Islam* has converted his religion and would be solemnizing marriage with the victim i.e., respondent No.3. He further submits that under the Muslim Law, marriage with a girl who has attained puberty is a valid and legal marriage. Hence in the facts and circumstances, the aforementioned FIR be quashed as the continuation of criminal proceedings against the petitioner would be a futile exercise.

Heard and perused the material on record.

The prayer of the learned counsel for quashing of the FIR in question, in the aforementioned facts and circumstances, deserves to be rejected outrightly. This Court cannot loose sight of the fact that on the date when the alleged crime was committed, the victim was a minor aged 15 years. Merely because the petitioner has embraced *Islam* subsequent to the registration of the FIR in question and also given an undertaking in the compromise deed (Annexure P-2) that he would solemnize marriage in future with the victim would not be a sufficient enough ground to quash the FIR. *Prima facie*, it appears to be a ploy on the part of the petitioner to escape the legal consequences for the offences committed by him.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

July 28, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*