

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

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**CRM-M-47178-2021
Decided on : 11.11.2021**

Sandeep

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Aditya Sanghi, Advocate,
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., seeking quashing of FIR No. 064, dated 19.06.2021, under Sections 376(2)(N), 506 of IPC and Section 3 of the Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (in short 'SC/ST Act'), registered at Police Station Hisar, District Hisar, Haryana, and all the subsequent proceedings arising therefrom, on the basis of compromise/settlement arrived at between the parties.

It has been urged by the learned counsel for the petitioner(s) that subsequent to the registration of the FIR in question under Sections 376(2)(N), 506 of IPC & Section 3 of the SC/ST Act, the differences between the parties were ironed out, as a result of which, they solemnized marriage on 22nd October, 2021. Learned counsel has apprised the Court that the prosecutrix is now legally wedded wife of the petitioner and while stepping into the witnesses-box as PW-1, did not support the case of the prosecution, as a result of which, she was

declared hostile.

Learned counsel while placing reliance upon the judgment of the Apex Court rendered in **Criminal Appeal No. 708 of 2021**, titled as, “**Prashant Bhartiya Vs. State of Delhi and Anr.**”, decided on **30.07.2021**, has submitted that in the aforementioned facts and circumstances, the continuation of criminal proceedings would be a futile exercise. Learned counsel has further apprised the Court that all the material witnesses stand examined and witnesses, who remained to be examined are formal in nature.

Notice of motion.

Ms. Tanushree Gupta, DAG, Haryana, who is present in Court accepts notice on behalf of the State. She, on instructions submits that the trial is at an advance stage as only 07 formal witnesses remain to be examined.

Mr. Lokesh Sharma, Advocate, has put in appearance on behalf of respondent No.2 (complainant) and filed his power of attorney in Court, which is taken on record, subject to all just exceptions. He has not disputed the submissions made by the counsel opposite *qua* the parties having solemnized their marriage and the prosecutrix having been declared hostile during trial.

I have heard learned counsel for the parties and perused the material on record.

The evidence of the prosecution is likely to be concluded in the near future. In the circumstances, this Court would not be inclined to invoke its inherent jurisdiction under Section 482 Cr.P.C as all the material witnesses have already deposed before the Trial Court and the

trial is likely to be concluded shortly with only formal witnesses remaining to be examined.

Petition stands dismissed. In the facts and circumstances as already enumerated hereinabove, any interference by this Court at this stage would not be warranted. However, the trial Court concerned is directed to expedite the trial and conclude the same within two months.

(MANJARI NEHRU KAUL)
JUDGE

November 11, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*