

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CRM-M-39377-2018

Date of decision : 04.05.2022

Malkeet Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.H.S.Batth, Advocate, for the petitioner.

Ms.Gunkirat Kaur, AAG, Punjab.

Mr.Gaurav Kalsi, Advocate, for respondent No.3.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C. the petitioner seeks quashing of FIR No.61 dated 29.07.2016 registered under Sections 363, 366 and 366A IPC at Police Station Sadar Patti, District Tarn Taran.

It is the admitted position that the victim who was alleged to have been kidnapped by the petitioner was and is happily living with him as his legally wedded wife.

In the light of the afore fact and especially because the alleged victim, even after attaining majority, continues to happily live with the petitioner as his legally wedded wife, continuation of the proceedings in pursuance to the impugned FIR wherein allegations against the petitioner are of kidnapping her, would not only be an abuse of the process of law but would also unsettle their married life. Resultantly, in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052, this Court deems it just and proper to allow the present petition and resultantly quash FIR No.61 dated 29.07.2016 registered under Sections 363, 366 and 366A IPC at Police Station Sadar Patti, District Tarn Taran and all proceedings arising therefrom qua the petitioner.

04.05.2022

shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No