

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(138)

CRM-M-36834-2022
Date of Decision: 22.08.2022

Ali & others

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Mohd. Salim, Advocate for the petitioners.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 482 Cr.P.C praying for quashing of FIR No.0040 dated 28.3.2021 under Sections 363, 366-A, 34 IPC (later on added sections 3, 4 & 6 of POCSO Act and section 9 of Marriage Prohibition Act, registered at Police Station, Mukerian, District Hoshiarpur.

Learned counsel for the petitioners submits that petitioner no.1 is married with respondent no.3, who was minor at the time of occurrence. He submits that thereafter both are married and having a minor son as well. He further submits that statement of respondent no.3 was recorded, wherein she did not support the case of prosecution and hence was declared hostile.

Notice of motion.

On the asking of the Court, Mr. Arun Luthra, D.A.G., Punjab accepts notice on behalf of respondent No.1 and Mr. Puneet Pali, Advocate accepts notice on behalf of respondents no.2 & 3.

Learned State counsel on instructions from ASI Rashpal Singh submits that out of the total 12 prosecution witnesses 7 have already been examined including the prosecutrix/respondent no.3.

In view of the above position, this court is of the view that trial being at the fag end, this is not the appropriate stage for entertaining this petition, however, learned Trial Court is requested to expedite the trial and conclude the same at the earliest.

Disposed of in the above terms.

(RAJESH BHARDWAJ)
JUDGE

22.08.2022

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