

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(130)

CRM-M-51501-2022
Date of Decision: 10.11.2022

Manpreet Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. D.S. Pheruman, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 482 Cr.P.C praying for quashing of FIR No.246 dated 27.8.2022 registered under sections 376, 419, 420, 465, 468, 471 IPC at Police Station, Civil Lines, Batala, Police District Batala, District Gurdaspur along with all the subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 19.10.2022 (Annexures P-2 & P-3).

Learned counsel for the petitioner submits both petitioner and respondent no.2 are of the age of majority and they have performed marriage. He submits that both are living together as husband and wife and hence no offence under section 376 IPC is attracted. He submits that prosecution of the petitioner in the present FIR is nothing but an abuse of the process of law.

Notice of motion.

On the asking of the Court, Mr. Sandeep Kumar, D.A.G., Punjab accepts notice on behalf of respondent No.1-State.

Learned State counsel on instructions from ASI Harpal Singh submits that case is pending investigation.

Having argued the matter at some length, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to the petitioner to avail the alternate remedies as may be available in accordance with law.

Prayer is allowed.

Dismissed as withdrawn with the liberty, as prayed for.

The investigating agency is also directed to take into consideration the overall facts and circumstances of the case and conclude the investigation within a period of one month from today.

(RAJESH BHARDWAJ)
JUDGE

10.11.2022

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