

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

129

CRM-M-5081-2023

Date of Decision : 24.02.2023

Sumit Kumar @ Sonu @ Sumit Ladi Girdhar Petitioner

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Viranjeet Singh Mahal, Advocate
for the petitioner.

Mr. Amish Sharma, Asstt. A.G., Punjab.

Mr. Sanjeev Kumar Arora, Advocate and
Mr. Lovish Arora, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition is seeking quashing of FIR No.0010 dated 29.01.2016 registered at Police Station Muktsar City, under Sections 363, 366-A IPC (Section 376 of IPC and Sections 3 and 4 of the POCSO Act added later on).

Mr. Sanjeev Kumar Arora, Advocate has filed his power of attorney on behalf of respondent No.2, which is taken on record.

Learned counsel for the petitioner *inter alia* contends that the petitioner has solemnised marriage with respondent No.3 and at present, she is staying with the petitioner.

The police, after completing investigation, filed a cancellation report, however, the trial Court has referred the matter back for further investigation. The complainant i.e. father of respondent No.3 as well as victim appeared before the trial Court and submitted that they have no

objection to cancellation report and FIR was registered on account of

misunderstanding. The trial Court inspite of statements of complainant and victim has refused to accept the cancellation report and asked the police to make further investigation.

Learned counsel for respondent No.2 submitted that the respondent is unaware about the whereabouts of respondent No.3.

Respondent No.3 is present in Court and on being confronted with this fact, learned counsel submitted that his grievance stands redressed.

Learned State counsel on instructions from ASI Rachpal Singh submits that the matter is under investigation and within one month, appropriate report would be filed before the trial Court.

In case police files cancellation report, the trial Court is requested to consider the statements of complainant and victim and thereafter proceed without dwelling into technicalities.

Disposed of.

(JAGMOHAN BANSAL)
JUDGE

24.02.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>