

## IN THE HIGH COURT OF PUNJAB &amp; HARYANA AT CHANDIGARH

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CRM-M-18826-2021 (O&amp;M)

Date of order: 04.10.2023

Balhar Singh

.....Petitioner(s)

Vs.

State of Punjab &amp; Others

.....Respondent(s)

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Prabhjayot Singh Chahal, Advocate for  
Mr. G.S. Nagra, Advocate  
for the petitioner.

Mr. Jaswinder Singh Arora, DAG Punjab.

None for respondents No.2 and 3.

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**Nidhi Gupta, J.**

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.76 dated 12.03.2021 under Section 365 IPC and Sections 25/54/59 Arms Act registered at Police Station Ajnala, District Amritsar (Rural) (Annexure P4).

On last date of hearing i.e. 13.12.2021, following order was passed by this Court:-

*“Reply by way of an affidavit has been filed on behalf of respondent No.3, which is taken on record. A copy thereof, has been supplied to counsel for the petitioner.*

*Upon instructions from SI Narpinder Singh, State counsel submits that a cancellation report has been prepared and is likely to be submitted soon. She seeks and is granted more time to file reply.*

*List on 24.02.2022.”*

Learned State Counsel on instructions from ASI Rattan Singh submits that cancellation report was duly filed in the present matter, however, as the complainant was not appearing before the learned trial Court, the said cancellation report has been sent back to the Investigating Officer.

Learned counsel for the petitioner submits that complainant in the present case is the father of respondent No.3 herein. It is further submitted that both the petitioner and respondent No.3 are major and they have solemnized marriage on 06.11.2020 as is evident from their marriage certificate (Annexure P3/T). Learned counsel further refers to statement of respondent No.3 dated 31.03.2021 before the learned Chief Judicial Magistrate, Amritsar (Annexure P6) wherein she has categorically stated as follows:-

*“State that I want to stay with my husband Balhar Singh. I am leading my happy married life with my husband. I apprehend threat to my life from my parents and brothers. I am living with my husband voluntarily. I do not want to meet my parents and brothers. There is no truth in the allegations of my parents that my husband is not allowing me to meet them”.*

Learned State Counsel does not dispute the above said facts.

In view of the facts as admitted above and judgment of this Court in **“Balwinder Singh @ Baljinder Singh @ Binder Vs. State of**

**Punjab & Others” Law Finder Doc ID # 1468110**, present FIR is quashed qua the petitioner.

Pending application(s) if any also stand(s) disposed of.

**04.10.2023**  
Sunena

**(Nidhi Gupta)**  
**Judge**

**Whether speaking/reasoned**  
**Whether reportable**

**Yes/No**  
**Yes/No**