

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-47132-2017 (O&M)

Date of order: 25.07.2023

Manjit Singh @ Nikku

.....Petitioner(s)

Vs.

State of Punjab & Others

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Mansur Ali, Advocate
for the petitioner.

Mr. Virat Rana, AAG Punjab.

Nidhi Gupta, J.

Present petition under Section 482 Cr.P.C. is filed for issuance of an appropriate order or direction quashing the impugned FIR No.95 dated 11.07.2017 under Sections 363 and 366-A IPC registered at Police Station Sadar Phagwara, District Kapurthala (Annexure P2).

Learned counsel for the petitioner submits that the petitioner and the prosecutrix-respondent No.3 are married and are happily living together. Learned counsel refers to marriage certificate dated 07.07.2017 (Annexure P3). It is submitted that accordingly, offences under Sections 363 and 366-A IPC are not made out.

Learned State Counsel on instructions from ASI Jaswant Singh does not dispute the above said facts and further submits that cancellation report in the matter was filed on 12.05.2021.

Affidavit dated 14.11.2018 of respondent

No.2/complainant is on record wherein deponent-complainant has stated that “Therefore, if the FIR No.95 dated 11.07.2017 is quashed then the deponent has no objection and she is ready to give statement in this regard before any Hon’ble Court”. Accordingly, in view of the admitted position as above, present stands **allowed** for the reasons recorded hereinabove.

25.07.2023
Sunena

(Nidhi Gupta)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No