

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

**CRM-M-25500 of 2023
Date of Decision: 29.05.2023**

Maninder Singh @ Billu

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr.Kanwaljeet Singh Derabassi, Advocate
for the petitioner

Mr.J.S.Bhandari, AAG, Punjab.

Mr.Rajinder Yadav, Advocate
for respondent No.2.

SANJEEV PRAKASH SHARMA, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.0055 dated 23.05.2020 under Section 363, 365, 366 of IPC, registered at Police Station Banur, District Patiala and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-7).

This Court vide order dated 19.05.2023 asked the Investigating Officer to remain present in this Court to answer as to why superior officers be not directed to initiate departmental action against her for filing a faulty charge sheet.

The Investigating Officer is present SI Rupinder Kaur and states that she had submitted that cancellation report as the offences as *prima facie* cannot be made out. However, the District Attorney insisted that a charge sheet be filed and accordingly at per his advice, the charge was filed. The statement under Section 164 Cr.P.C. of the girl was recorded where she had

stated that she left her house on her own will and the parents of the girl left her at the petitioner's house.

It is the case of the petitioner, that the petitioner and the respondent No.2 had attained majority and had also got marriage. Their statements were also recorded by the District and Sessions Judge, SAS Nagar on 19.05.2023 and the statements of the parents and other relatives of the respondent No.2 have also been recorded jointly mentioning that they have no objection to the matrimonial alliance of the petitioner with respondent No.2.

Keeping in view the aforesaid facts and circumstance, this Court does not further proceed with the observations made on 19.05.2023 as against the Investigating Officer and considering the compromise arrived at between the parties and the statements so recorded and that the marriage has already taken place, the instant petition is accepted.

Consequently, the impugned FIR No.0055 dated 23.05.2020 under Section 363, 365, 366 IPC, registered at Police Station Banur, District Patiala and all other consequential proceedings arising therefrom are hereby quashed, on the basis of compromise, qua the petitioners only.

The bail bonds stands discharged.

(SANJEEV PRAKASH SHARMA)
JUDGE

29.05.2023

/Raman

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