

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-2990-2021 (O&M)

Date of Decision: 06.11.2024

Vivek Gupta

.... Petitioner

Versus

U.T.Chandigarh and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Shubham Kashyap, Advocate for
Mr. Vishva Nath Sharma, Advocate for the petitioner.

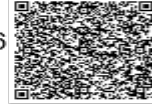
Mr. J.S.Toor, A.P.P., U.T. Chandigarh and
Mr. Ramneek Sandhu, Advocate for U.T. Chandigarh.

Mr. Danishwar Ali, Advocate for
the complainant/respondent No.2.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for quashing of FIR No. 182 dated 17.07.2019 (Annexure P-3) under Section 363, 366 IPC registered at Police Station Industrial Area, Chandigarh, as well as Charge Sheet dated 07.12.2019 (Annexure P-6) passed by learned Additional Sessions Judge, Chandigarh.

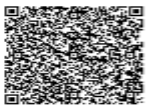
Learned counsel for the petitioner submits that the present FIR was registered on the basis of the statement made by the father of the victim, who is respondent No.2 herein. It is submitted that the victim was about 17 years of age on the date of incident i.e.16.07.2019. Thereafter, FIR was registered with the allegations that the petitioner had enticed



away the daughter of the complainant and that earlier also, the petitioner was harassing the daughter of the complainant. It is pointed out that the petitioner and the alleged victim have solemnized marriage on 21.09.2020 as is evident from marriage certificate (Annexure P-9) after attaining the age of majority by the victim. Even the affidavit dated 11.09.2021 of the victim to this effect is on record as Annexure P-14, wherein she has stated that after attaining the age of 18 years, she has solemnized marriage with the petitioner according to Hindu rites and rituals; that now she is living happily with the petitioner; and that she is also pregnant. Photographs of the marriage are also attached as Annexure P-10. It is submitted that the present FIR was filed by respondent No.2 against the present petitioner only. It is accordingly prayed that the present FIR be quashed.

Learned counsel for the respondent-U.T. Chandigarh, on instructions, affirms the above facts to be true and further informs that one child is also born out of the wedlock of the petitioner and the daughter of the complainant.

Although learned counsel for the complainant/respondent No.2 opposes prayer made on behalf of the petitioner, however, in view of the undisputed facts as noticed above, present petition is **allowed**; and FIR No. 182 dated 17.07.2019 (Annexure P-3) under Section 363, 366 IPC registered at Police Station Industrial Area, Chandigarh, as well as Charge Sheet dated 07.12.2019 (Annexure P-6) passed by learned Additional Sessions Judge, Chandigarh, are hereby **quashed** qua the petitioner.



Pending application, if any, stands disposed of.

06.11.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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