



CRM-M-55073-2022 (O&M)

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**216 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-55073-2022 (O&M)

Date of Decision: 08.11.2024

LOVEPREET SINGH AND OTHERS**...Petitioners****Versus****STATE OF PUNJAB AND OTHERS****...Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present: Mr. Mohit Kumar, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

Harpreet Singh Brar J.(Oral)

1. The petitioners, through the instant petition, are seeking quashing of FIR No. 0122 dated 19.08.2022 registered under Sections 363 and 366-A of Indian Penal Code at Police Station Shri Hargobindpur District Batala and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioners *inter alia* contends that petitioner No. 1 was in love with the grand daughter of the complainant-respondent No. 2 and daughter of respondent No. 3 and both of them intended to marry with each other and respondents No. 2 and 3 were opposed to their relationship and they decided to marry her forcibly with some other boy. Faced with this situation, petitioner No. 1 and grand daughter of the complainant decided to perform marriage and she left her house in intervening night of 17-18/08/2022 and eloped with petitioner No. 1 and their marriage was performed on 18.08.2022, as discernible from the marriage certificate Annexure P-2. He further contended that date of birth



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of petitioner No. 1 is 01.01.2000 and that of his wife is 01.01.2004 and at the time of marriage, both were major and thereafter, they filed a petition bearing No. CRWP-7974-2022 titled as ***Sandeep Kaur and Another Vs. State of Punjab and Others***, which was disposed of by this Court on 23.08.2022 (Annexure P-5). Currently the petitioner No. 1 and grand daughter of respondent No.2 are cohabiting together as husband and wife.

3. On 18.05.2023, this Court, was informed by learned State counsel on instructions from ASI Amrik Singh that petitioner No. 1 and grand daughter of respondent No. 2 have solemnized the marriage and they are staying together.

4. Learned counsel relies upon judgment of the Hon'ble Supreme Court passed in ***K. Dhandapani Vs. The State by The Inspector of Police, 2022 SCC Online SC 1056***, Full Bench judgment of the Delhi High Court passed in Court on its own motion (***Lajja Devi***) ***Vs. State' 2012 (4) CCR 72*** and judgment of this Court in ***Devendranath Vs. State of U.T. Chandigarh and others***, passed in CRM-M-23281-2023, to contend that FIR can be quashed on the basis of compromise, when the victim-prosecutrix has attained the majority and consented to get the FIR quashed.

5. Per contra, learned State counsel could not controvert the fact that petitioner No. 1 and grand daughter of respondent No. 2 have been married and are cohabiting together as legally wedded husband and wife.

6. Having heard learned counsel for the parties and after perusing the record with their able assistance, it transpires that petitioner No. 1 and

grand daughter of respondent No. 2 were major at the time of marriage and they are cohabiting together as husband and wife.

7. In view of the above and, this petition is allowed and FIR No. 0122 dated 19.08.2022 registered under Sections 363 and 366-A of Indian Penal Code at Police Station Shri Hargobindpur District Batala along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

08.11.2024
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No