



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

278

CRM-M-11835-2025

Date of Decision : 22.04.2025

SOMBIR SINGH**...Petitioner****VERSUS****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Sankalp Gehlawat, Advocate and
Mr. Amrit Singh, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. The present petition has been filed under Section 528 of BNSS for quashing of FIR No.0007, dated 11.01.2025, registered under Section 87 of BNS, 2023, registered at Police Station Loharu, District Bhiwani.
2. Brief factual matrix of the present petition is that the instant FIR was registered on application of the complainant whereby he had alleged that the prosecutrix, his daughter, had been receiving calls from the petitioner. It was alleged that the complainant was apprehending that the petitioner had allured the prosecutrix on the assurance of marriage. Investigation in the case was carried out whereby knowledge regarding marriage of the prosecutrix with the petitioner came to fore by way of secret information received on 16.01.2025. Thereafter, on 20.03.2025, the present petitioner was joined in investigation, in compliance to order dated 18.03.2025 passed by the Court of learned Additional Sessions Judge, Bhiwani in the application for anticipatory bail moved by the petitioner.



3. This Court while issuing notice of motion on 04.03.2025 passed the following order:-

“By way of the present petition, prayer is made for quashing of FIR No.0007 dated 11.01.2025, under Section 87 of BNS, 2023, registered at Police Station Loharu, District Bhiwani.

Learned counsel for the petitioner inter alia submits the petitioner has been falsely implicated in this case. He further submits that in fact, the petitioner and the daughter of the complainant were in a consensual relationship and they solemnized marriage on 10.01.2025. He further places reliance upon the marriage certificate which has been annexed in CRWP- 647-2025 filed before this Court (Annexure P2).

The prosecutrix (daughter of the complainant), namely, Monika is also present in Court in person and has submitted that she is residing with the petitioner with her own free will.

Notice of motion.

At the asking of the Court, Ms. Mahima Yashpal, DAG, Haryana, accepts notice on behalf of the respondent-State and prays for time to file status report.

The statement of the victim to be recorded before the Illaqa Magistrate concerned through video conferencing on 11.03.2025 and the Magistrate concerned shall send the said statement of the victim this Court on or before the next date of hearing.

Adjourned to 22.04.2025.”

4. Pursuant to the aforesaid order, a compliance report dated 12.03.2025 has been received from the Sub-Divisional Judicial Magistrate, Loharu. A perusal of the said report reveals that on 11.03.2025, statement of the prosecutrix has been recorded in the present case, which reads thus:-

“Stated that I have solemnized marriage with Sombir on 10.01.2025 with my own free will. Now, I am residing with my husband Sombir at village Mohila, Tehsil Siwani, District Bhiwani.”



5. It is the submission of the learned counsel for the petitioner that the petitioner has been falsely implicated in the present case on the statement of the father of the prosecutrix. It is submitted that the petitioner and the prosecutrix were in a consensual relationship which lead to the culmination of their marriage on 10.01.2025. Additionally, there is no evidence on record to prove the allegations so levelled against the petitioner. In fact, the prosecutrix has categorically and unequivocally stated that she solemnized marriage with the petitioner on her own free will and is willingly and happily so, residing with the petitioner. Further, reliance is placed by the learned counsel on the judgment of a co-ordinate Bench of this Court passed in **CRM-M No. 43433 of 2024** titled as ***“Jakir and another Vs. State of Haryana”*** in support of his contentions.

6. Learned State counsel has filed the status report dated 11.04.2025 by way of affidavit of Bharat Bhushan, HPS, Deputy Superintendent of Police, Loharu, Bhiwani. The same is taken on record. While referring to the same, learned State counsel submits that during investigation, on 25.03.2025, certified copies of marriage certificate of the petitioner and the prosecutrix, as also marriage registration certificate were received from Vaidik Samaj Kalyan Samiti, Gandhinagar, Gaziabad, Uttar Pradesh and from the office of Marriage Registrar, Gaziabad, Uttar Pradesh respectively, and the same are annexed as Annexures R-1 and R-2.

7. As is evincible from the judicial record, submissions made by either side, as also the statement of the prosecutrix made before this Court and also duly recorded before the Magistrate, this Court is of the considered opinion that since the petitioner and the prosecutrix are now happily married, continuing with the criminal proceedings would cause undue harassment to them and disturb their happy marital life.



8. Resultantly, the present petition is allowed and FIR No.0007, dated 11.01.2025, registered under Section 87 of BNS, 2023, registered at Police Station Loharu, District Bhiwani is quashed qua the petitioner.
9. Pending application(s), if any, also stands disposed of accordingly.

(KIRTI SINGH)
JUDGE

22.04.2025
Nisha Yadav

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No