

(2013) 08 P&H CK 0784

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-37222 of 2012 (O and M)

Gurpreet Singh @ Mithu and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 14-08-2013

Acts Referred:

Penal Code, 1860 (IPC) — Section 120B, 363A, 366

Citation : (2013) 08 P&H CK 0784

Hon'ble Judges : Ritu Bahri, J

Bench : Single Bench

Advocate : Anil Chawla, for the Appellant; D.S. Virk, AAG, Punjab and Mr. Pardeep Rajput, Advocate, for the Respondent

Final Decision : Disposed Off

Judgement

Ritu Bahri, J.

Crl. Misc. No. 36441 of 2013

1. Criminal miscellaneous is allowed. Affidavit of respondent No. 2-Harpreet Kaur is taken on record. Main case Quashing of FIR No. 72 dated 23.4.2012 under Sections 363A/366/120-B IPC registered at Police Station Sultanwind, District Amritsar City (Annexure P1) is being sought on the basis of compromise dated 21.11.2012 (Annexure P-2).

2. The FIR has been registered by Satnam Singh regarding missing of her daughter namely Harpreet Kaur.

3. On notice, respondent No. 2-Harpreet Kaur has put in appearance and has been identified by her counsel. She has tendered her affidavit to the effect that she has married with Shri Gurpreet Singh with her sweet will on 16.4.2012 and they resided together as husband and wife and a male child Abhijot has been born on 25.4.2013 and she and her child are living happily in her in-laws family. She has also stated that she has no objection if the FIR in the present case is

quashed.

4. In view of the affidavit filed by Harpreet Kaur-respondent No. 2. no case under Sections 363A/366 IPC is made out. Moreover, the matter has now been amicably settled between the parties as per the compromise dated 21.11.2012 (Annexure P2).

5. After going through the compromise deed (Annexure P2) and the affidavit, the Court is satisfied that the compromise arrived at between the parties is genuine and without any pressure or coercion.

6. Consequently, in view of the above circumstances and in view of the judgment of the Hon"ble Supreme Court in the case of Madan Mohan Abbot Vs. State of Punjab, and the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Others Vs. State of Punjab and Another, FIR No. 72 dated 23.4.2012 under Sections 363A/366/120-B IPC registered at Police Station Sultanwind, District Amritsar City (Annexure P1) is quashed with all consequential proceedings arising therefrom qua petitioners. Petition is disposed of.