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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 18th August, 2026

CNR No. DLHC010339812024

+ **CRL.M.C. 4668/2024**

NADIR

.....Petitioner

Through: **Mr. Suraj Prakash Sharma, Advocate**
with petitioner in person.

versus

STATE AND ANR

.....Respondents

Through: **Ms. Priyanka Dalal, APP for the State**
with ASI Bijender Kumar and W/SI
Gunjan Singh.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner herein seeks quashing of FIR No.282/2019 dated 12.06.2019, registered at Police Station Badarpur, for commission of offence under Section 363 IPC, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. The abovesaid FIR was registered on the basis of complaint made by father of minor-victim herein, who reported that his daughter was missing since 11.08.2019. Initially, an FIR was registered for commission of offence under Section 363 IPC. During investigation, the police was able to ascertain the complicity of the petitioner herein, who was in relationship with her.
3. Fact, however, remains that since the petitioner evaded the warrants issued by the Court, he was, eventually, declared a *Proclaimed Offender*.



4. Later on, the victim girl was recovered on 13.09.2022. She was found with a small baby, which she revealed was from the petitioner.
5. In her statement, she claimed that her mother used to maltreat her and used to suspect that she was having an affair with the petitioner. She apprehended that she would be killed if she did not sever the abovesaid relationship and, eventually, left her home. She then contacted Nadir (petitioner herein) and, eventually, they both fled to Nepal where they stayed together and were blessed with a baby.
6. The petitioner herein was arrested and remained behind bars for more than a year and was, eventually, granted bail by this Court *vide* order dated 16.02.2024 in *BAIL APPLN. 3349/2023*.
7. The quashing is being sought as the parties have got, formally, married in the year 2023 as per Muslim rites and ceremonies and are living together. They are already having two children from such marriage and respondent No.2 is expecting third baby as she is in family way.
8. Charge-sheet has been filed for commission of offences under Section 363/366/376/174A IPC and Section 4/6 of *Protection of Children from Sexual Offences Act* (POCSO), 2012, Section 84 of *Juvenile Justice (Care And Protection Of Children) Act, 2015 (JJ Act)* and Section 9 of *Prohibition of Child Marriage Act, 2006* but charges have yet not been ascertained.
9. Status report has been filed by prosecution and as per status report, the marriage between the petitioner and respondent No.2 has already been verified. They got married on 15.12.2023 and are living together.
10. Keeping in mind the sensitivity of the matter, the Court interacted with the parties inside the chamber.
11. Respondent no. 2 is present in person and she has been duly identified



by Investigating Officer.

12. When asked, respondent No. 2 reiterated that she is living happily with the petitioner herein. She submits that her parents did not approve such relationship because she belonged to a different religion and, therefore, her parents had severed all their relationship with her. She, while reiterating that she is very happy with petitioner with whom she had earlier eloped, submits that in order to ensure that there is no stress upon them with respect to the on-going criminal case, she would have *no objection* if the present FIR is quashed. She states that she has entered into the abovesaid settlement out of her own free will, without any coercion and influence from any corner whatsoever.

13. Admittedly, she has already attained the age of majority and the formal marriage has taken place after she turned 18.

14. Since respondent No.2 is residing happily at her matrimonial home, these proceedings are bound to bother and hound them.

15. Reference be made to *Ayyub Malik v. State of Uttarakhand* 2026 SCC OnLine SC 637, wherein the Hon'ble Supreme Court while quashing proceedings related to offences under Sections 363/376(2)(d) IPC and Sections 5(8) and 6 of POCSO Act observed that continuing with further criminal proceedings would operate as a painful interference in the lives of those parties, who are staying together happily and peacefully and, therefore, it will be in the interest of rendering complete justice that proceedings arising therefrom, are quashed. Relevant para of the abovesaid judgment reads as under:-

“6.1 Any litigation brings a kind of botheration for the parties. The uncertainty of the outcome of the litigation always looms large. When it is a criminal case, its pendency becomes burdensome and worrisome. For appellant No. 1 as well as appellant No. 2, negotiating the criminal proceedings in a court of law, notwithstanding that both are now husband and wife living together, would



operate as painful interference in their happy life. The High Court would have done justice to the parties only by quashing the criminal proceedings against appellant No. 1 initiated by the complainant-father of appellant No. 2.”

16. Since respondent No.2 and petitioner are living a blissful matrimonial life, continuing with further proceedings would serve no real or meaningful purpose and would be akin to reopening a chapter in their lives which they have themselves chosen to close. Reference be made to *Madan Mohan Abbot v. State of Punjab* (2008) 4 SCC 582, *Mohd. Parwej v. State*: 2026 SCC OnLine Del 1030, *Harmeet Singh v. State (NCT of Delhi)*: 2026 SCC OnLine Del 1707 and *Prem Kumar v. State and Others* 2024 SCC OnLine Del 628, wherein also in such fact-situation, the proceedings were quashed.

17. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIR.

18. Consequently, to secure the ends of justice, FIR No.282/2019 dated 12.06.2019, registered at Police Station Badarpur along with all consequential proceedings arising therefrom, is, hereby, quashed. Original affidavits of the parties, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial Court within four weeks from today, so that these become part of Trial Court Record.

19. The petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 18, 2026/st/sk