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

CNR No. DLHC010369672026

+ **CRL.M.C. 5863/2026, CRL.M.A. 24463/2026**

ANWAR ALIAS ANNU

.....Petitioner

Through: Mr. Randheer Singh and Ms. Jaya Shluja, Advs. with petitioner (appearing through VC from Tihar jail)

Versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Satish Kumar, APP for State with Ms. Upasana Bakshi and Mr. Gourav Singh, Advocates
SI Maju Redha, PS.: Burari
Counsel for R-2 with R-2 present in person (appearance not given)

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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20.08.2026

1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the petitioner seeks quashing of FIR No.48/2017 dated 08.02.2017 registered at PS.: Burari, Delhi under *Sections 363/376* of the Indian Penal Code, 1860 (**IPC**) and *Section 4/6* of the Protection of Children from Sexual Offences Act, 2012 (**POCSO**) and all proceedings emanating therefrom, in view of the fact that the petitioner and respondent no.2 have mutually settled all their disputes and differences by entering into a Deed of Settlement dated 15.06.2025 (**Annexure P5**).



2. Issue notice.

3. Learned APP for the State accepts notice and objecting to the present petition submits that as many as *twenty* FIRs have been registered against the petitioner and he is currently in judicial custody in one of the said FIRs. Barring this, he submits that the applicant has also been declared as a *bad character* of his area and the same are admitted by the petitioner himself.

4. Learned counsel for the respondent no.2 also accepts notice and submits that the respondent no.2 has no objection if the present petition is allowed since petitioner and respondent no.2 have amicably resolved all their disputes.

5. This Court has further had the occasion of interacting with the petitioner appearing through video conferencing from Tihar Jail as well as the respondent no.2, who is present in Court. They affirm the terms of the aforesaid Memorandum of Understanding dated 15.06.2025.

6. Further, respondent no.2 submits that the present FIR, registered by her mother, is a result of misunderstanding inasmuch as she herself left her parents house on her own volition and thereafter willingly married the petitioner and out of the said wedlock, have an eight years old child. Accordingly, respondent no.2 submits that she does not wish to continue with the aforesaid FIR against the petitioner.

7. The petitioner appearing through video conferencing from Tihar Jail and the respondent no.2, present in Court, as well as their credentials, as on record, have been duly identified by the IO.

8. Though there is an objection by the learned APP qua quashing of the present FIR, however, a perusal of the facts disclose that the petitioner



and respondent no.2 are happily married now and have a minor son aged about eight years out of their wedlock. They say that they have thus resolved all the disputes *inter se* themselves, which stance is forming part of the accompanying affidavit(s). As such, and especially considering that the future of a minor son born out of the wedlock is involved, as also following the law laid down by the Hon'ble Supreme Court in ***Jitendra Raghuvanshi & Ors. vs. Babita Raguvanshi & Anr.*** (2013) 4 SCC 58, ***Gian Singh vs. State of Punjab & Anr.***; (2012) 10 SCC 303 and ***Narinder Singh & Ors. vs. State of Punjab & Anr.***; (2014) 6 SCC 466, since there is nothing left to corroborate and prove the case of the prosecution, continuation of the aforesaid FIR will be an exercise in futility.

9. Accordingly, the present petition is allowed and FIR No.48/2017 dated 08.02.2017 registered at PS.: Burari, Delhi under *Sections 363/376* of the IPC and *Sections 4/6* of the POCSO Act and all proceedings emanating therefrom are hereby quashed.

10. As such, the present petition alongwith the pending application is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

AUGUST 20, 2026/bh