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

CNR No. DLHC011104902025

+ **W.P.(CRL) 1493/2026**

MR.ARMAN KHAN

.....Petitioner

Through: Mr. H. M. A. Rahman and Mr.
Ashraf Mansoori, Advs. alongwith
petitioner in person

versus

THE STATE OF NCT OF DELHI AND ORS. Respondents

Through: Ms.Rupali Bandhopadhyia, ASC
with SI Rajeshwar Parmar, PS Hauz
Quazi

Mr. Sarthak Karol, Advocate
(DHCLSC) with Ms.Neelakshi
Bhadauria and Mr. Shashank
Sharma, Advs. for R-4-5 alongwith
R-4 and 5 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

01.09.2026

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1. By virtue of the present petition under *Article 226* of the Constitution of India read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks quashing of the FIR No.76/2017 dated 26.06.2017 registered at PS.: Hauz Quazi, Delhi under *Sections 363/376* of the Indian Penal Code, 1860 (**IPC**) and *Section 6* of the Protection of Children from Sexual Offences (**POCSO**) Act, 2012 in view of the compromise arrived at between the petitioner and respondent no.4.



2. Notice to the present petition was issued on 08.05.2026, when the learned ASC accepted notice for respondent nos.1 to 3. He had also sought time to file the Status Report.

3. The Status Report filed thereafter reflects that the petitioner and respondent no.4 have since solemnized their marriage on 25.12.2018 and are happily living together as husband and wife for the past *eight years*. Moreover, they were also blessed with three daughters out of the said wedlock as well.

4. In view thereof, learned counsel for respondent nos. 4 and 5 submits that the respondent nos.4 and 5 have no objection if the present petition is allowed, particularly, since they have amicably resolved all their disputes between themselves.

5. This Court has further had the occasion of interacting with the petitioner as well as the respondent nos.4 and 5, present in Court, who have reiterated the stand taken by learned counsel for the respondent nos. 4 and 5. In fact, both the respondent nos. 4 and 5 present in Court submit that they do not seek to continue with the aforesaid FIR against the petitioner.

6. The petitioner and the respondent nos. 4 and 5, present in Court, as well as their credentials, as on record, have been identified by the Investigating officer.

7. Upon an overall consideration of the existing facts and circumstances, even though this Court is mindful that the present FIR has been registered *Sections 363/376* of IPC and *Section 6* of POCSO Act, however, this Court is inclined to quash the present FIR in exercise of its inherent powers under *Section 528* of the BNSS, particularly, since the



petitioner and respondent no.4, pursuant to their marriage, wish to end all disputes between themselves and are already living together peacefully along with their three daughters for the past eight long years. Moreover, the present petition is also supported by their respective affidavit(s) to the said effect.

8. Therefore, 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, as also 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. Therefore, the present petition is allowed and FIR No.76/2017 dated 26.06.2017 registered at PS.: Hauz Quazi, Delhi under *Sections 363/376* of the IPC and *Section 6* of the POCSO Act and all proceedings emanating therefrom are hereby quashed.

10. Accordingly, the present petition is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

SEPTEMBER 1, 2026/rr