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

Date of decision: 29.01.2020

+ CRL.M.C. 489/2020

NEERAJ

..... Petitioner

Through: Mr. Ajit Kakkar, Adv. with petitioner
in person

versus

STATE (GOVT. OF NCT OF DELHI) & ANR Respondents

Through: Mr. Amit Chadha, APP for State with
W/SI Ekta, PS – Uttam Nagar
R-2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL. M.A. 2030/2020

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 489/2020

3. Present petition is filed under Section 482 Cr.P.C. for quashing of FIR No. 691/2019 registered at Police Station – Uttam Nagar, New Delhi for the offence punishable under Section 376 IPC and subsequent proceedings

thereto.

4. As stated in the present petition, petitioner is aged about 26 years, is under training at Haryana Police Academy, Madhuban to attend one year Prob. Sub Inspector Basic Course in Batch No. 16 commencing w.e.f. 11.03.2019 to 10.03.2020. Petitioner belongs to a humble family and he has put in hard work, sincere efforts in order to brighten his future and not to indulge in any case which will malign his image and jeopardised his life. The Petitioner has complete respect towards society and social norms.

5. Petitioner and respondent No.2 were member of a Eduhut library situated at Uttam Nagar. In April 2018 the petitioner met the respondent No.2 in the said library and after brief introduction, they started meeting with each other. They started developing more than friendly relations and both got into love affairs. As time passed, started planning and working towards their future together. They had also started mentioning to their parents for marriage since both were not from the same caste. Both of them have started treating each other as Husband- Wife and announced in friend circle about their future plans together. However, since petitioner was not in regular touch with the respondent No. 2, due to busy in training, she filed complaint against him, which culminated into the FIR mentioned above.

6. Thereafter, due to the intervention of family members and respected persons of the society, petitioner and respondent No. 2 married on 09.12.2019.

7. Respondent No. 2 is personally present in Court, she states that they were in love and she was possessive towards the petitioner. Being inter-caste, family members of the petitioner were not ready for their marriage. Therefore, just to put pressure upon the family members of the petitioner, she made false allegations which culminated into registration of FIR.

8. It is admitted by respondent No. 2, that there was no rape committed, therefore, she is liable to be prosecuted and she is well informed about the consequences of the same, being an Advocate by profession. However, keeping in view the fact that the petitioner and respondent No. 2 got married within five days from the registration of FIR, I refrain from prosecuting respondent No. 2.

9. Similar issue came before this *Court in case Danish Ali vs. State and Anr., CRL. M.C. No. 1727/2019, decided on 26.11.2019* and *Hari Sharan vs. State and Ors. CRL.M.C. 3689/2019, decided on 12.12.2019* by this Court whereby, FIRs therein were quashed.

10. Therefore, keeping in view the statement made by respondent No. 2

and the fact that matter has been settled and petitioner and respondent No. 2 are married and living happily as husband and wife, no useful purpose would be served in prosecuting the petitioner any further.

11. For the reasons afore-recorded, the FIR No. 691/2019 registered at Police Station – Uttam Nagar, New Delhi and consequent proceedings therefrom, if any, are quashed.

12. The petition is allowed and disposed of accordingly.

Dasti.

(SURESH KUMAR KAIT)
JUDGE

JANUARY 29, 2020

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