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

+ **CRL.M.C. 2068/2024**

PRAKASH KUMAR

..... Petitioner

Through: Mr. Dhananjay Kumar Singh and
Mr. Zeeshan Haider, Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for State
with SI Shyam, PS: Burari.
Mr. Satish Kumar, Advocate for R-2
with Respondent No. 2-in-person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

14.03.2024

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1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 0073/2024, under Section 376 IPC, registered at PS: Burari, Delhi and the proceedings emanating therefrom.
2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 appear on advance notice and accept notice.
3. Learned APP for the State submits that after registration of FIR, statement of prosecutrix was also recorded under Section 164 Cr.P.C., wherein she stated that physical relations were established with her consent, since both, petitioner and respondent No. 2, were in a relationship and in case, petitioner wishes to marry her, she would not pursue the case.
4. At this stage, learned counsel for the petitioner submits that since respondent No. 2, who is present in person, does not wish to continue with



the proceedings, in view of proposed marriage as per settlement, the Investigating Agency be directed to get her statement under Section 164 Cr.P.C. recorded for taking the proceedings to a logical end.

5. Considering the facts and circumstances of the case, I.O. is directed to get the statement of prosecutrix recorded under Section 164 Cr.P.C., as prayed. Further, no coercive action shall be taken against the petitioner, till the filing of final report.

Petition is accordingly disposed of. Pending applications, if any, stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

MARCH 14, 2024/R