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

+ **W.P.(CRL) 1916/2024 & CRL.M.A. 18672/2024**

MR. AKASH

..... Petitioner

Through **Mr. Rajat Vadehra, Adv. along with
petitioner.**

versus

THE STATE OF NCT OF DELHI & ANR.

..... Respondents

Through **Mr. Sanjeev Bhandari, ASC for the
State with Ms. Anvita Bhandari, Ms.
Charu Sharma, Mr. Arjit Sharma and
Mr. Vaibhav Vats, Adv. with SI
Nishant, PS Gulabi Bagh.
Ms. Vedika Mehra, Adv. for R-2.**

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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01.07.2024

CRL.M.A. 18672/2024 (Exemption)

1. Exemption allowed subject to just exceptions.
2. Accordingly, application stands disposed of.

W.P.(CRL) 1916/2024

1. This petition has been filed seeking quashing of FIR No.336/2021 registered under Section 363 of the Indian Penal Code ("IPC") at PS Gulabi Bagh on 18th December, 2021. The FIR was registered at the behest of respondent No.2, who alleged that her daughter had been kidnapped by the petitioner. Subsequently, it seems to have transpired that the daughter and



the petitioner were romantically involved.

2. The petitioner, the respondent No.2 and the daughter of respondent No.2 are present in Court and are duly identified by the IO. Respondent No.2 now states that the petitioner and her daughter are living together and claim to have got married (though there is no document filed in that regard except for an agreement dated 20th December, 2023). She has no objection and, therefore, supports quashing of the said FIR. The supporting affidavit has also been filed along with the petition and is appended as ***Annexure P-3***.

3. Mr. Bhandari, Additional Standing Counsel for the State states that since there is no document of marriage between the parties, their marriage may not be taken to have been solemnized. It is, therefore, clarified that the Court is passing these directions without any documentary confirmation that the petitioner and the daughter of respondent No.2 are married. They however claim to have got married at the Court at Aligarh.

4. Further, it is confirmed by the IO that both the petitioner and the daughter of respondent No.2 are major.

5. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.336/2021 registered under Section 363 IPC at PS Gulabi Bagh and proceedings emanating therefrom, including the charge-sheet, are quashed.

6. Parties shall abide by the terms of settlement.

7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.



8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 1, 2024/MK