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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5027/2022**
PANKAJ KUMAR SHAW Petitioner
Through: **Mr.H.N.Pandey, Adv.**

versus

STATE (NCT OF DELHI) & ANR. Respondents
Through: **Mr. Shoaib Haider, APP**
alongwith **W/SI Kamlesh**
Meena.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **11.01.2024**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR no.246/2022 registered at Police Station: Sagarpur, Delhi under Sections 376/506 of the Indian Penal Code (in short, 'IPC') and 6 of The Protection of Children from Sexual Offences Act, 2012 (in short, 'POCSO Act').
2. The FIR has been registered on the complaint of the respondent no. 2, on 11.04.2022. In the said complaint, the respondent no. 2 has made certain allegations in relation to an incident that took place in the year 2015. Based thereon, Section 6 of the POCSO Act had been invoked.
3. The learned counsel for the petitioner submits that the parties, within two months of the registration of the subject FIR have, in fact, married each other and have been living together happily thereafter, as



husband and wife.

4. The respondent no.2, who is present in person and has been identified by the IO, submits that she is happily married to the petitioner and does not want to pursue her complaint any further. The Marriage Certificate of the petitioner and the respondent no.2 is also placed on record.

5. Considering the above submissions and the fact that the parties are happily married and are living together, I find that no useful purpose will be served in continuing with the proceedings of the above FIR; it would rather create further acrimony between the parties.

6. Keeping in view the above and the principles laid down by the Supreme Court in *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335; *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Jitendra Raghuvanshi v. Babita Raghuvanshi*, (2013) 4 SCC 58; and *Kapil Gupta v. State (NCT of Delhi)*, 2022 SCC OnLine SC 1030, the FIR no.246/2022 registered at Police Station: Sagarpur, Delhi under Sections 376/506 IPC and 6 of the POCSO Act and all the proceedings emanating therefrom are quashed.

7. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 11, 2024
RN/AS

Click here to check corrigendum, if any