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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5827/2022 & CRL.M.A. 28862/2023**
SHAHRUKH KHAN @ SHAHRUKH SAIFI Petitioner

Through: Mohd. Sadiq, Adv.

versus

STATE AND ANOTHER Respondents

Through: Ms.Priyanka Dalal, APP with
SI Manish Tyagi
R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
05.01.2024

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1. This petition has been filed praying for quashing of FIR No. 84/2021 registered with Police Station: Jamia Nagar, New Delhi under Sections 313/376 of the Indian Penal Code, 1860 (in short, 'IPC') and Sections 6/19 of the Protection of Children from Sexual Offences Act, 2012 (in short, 'POCSO').
2. The parties are living together and have been blessed with two children. The petitioner has also placed on record a birth certificate of the respondent no.2 which shows that she was a major on the date of the marriage.
3. I have also interacted with the respondent no.2, who is present in person in Court. She affirms that she is staying with the petitioner and is happily married with him and having two children. She has been identified by the Investigating Officer.



4. Keeping in view the above facts and the judgments of the Supreme Court in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303 and *Jitendra Raghuvanshi v. Babita Raghuvanshi*, (2013) 4 SCC 58, I find that no useful purpose would be served in continuing with the criminal proceedings.

5. Accordingly, the FIR No. 84/2021 registered with Police Station: Jamia Nagar, New Delhi under Sections 313/376 of the IPC and Sections 6/19 of POCSO Act, along with all other proceedings emanating therefrom, are quashed.

6. The pending application stands disposed of as infructuous.

7. The petition is allowed in the above terms.

8. There shall be no orders as to costs.

NAVIN CHAWLA, J

JANUARY 5, 2024/ns/RP

Click here to check corrigendum, if any