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

+ W.P.(CRL) 2311/2024 & CRL.M.A. 22542/2024

AJAY KUMAR

.....Petitioner

Through: Mr. Ram Manohar Bhargava, Ms. Arpita and
Mr. Sanjay Kumar Singh, Advocates.

versus

THE STATE OF NCT OF DELHI AND ORSRespondents

Through: Ms. Rupali Bandhopadya, ASC (GNCTD)
with Mr. Abhijeet Kumar and Mr. Sagar
Mehlawat, Advocates, for the State.
SI Manisha Sharma, PS – Maidan Garhi.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

01.08.2024

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1. This petition has been filed seeking quashing of FIR No. 233/2022, registered at PS Maidangarhi, under Sections 363/376 IPC and Section 6 POCSO Act, on basis of a settlement arrived at between parties.
2. Petitioner and respondent No. 2 are now major in age, married and with a child and respondent No. 2 does not wish to pursue this petition any further.
3. An affidavit on her behalf has been placed on record. It is stated that she voluntarily left her parental home on 14.05.2022 with petitioner out of her own free will and volition. There was no inducement, force or threat.
4. It was a romantic relationship and there was a dissent from the family which forced them to take these steps.
5. Subsequently, she delivered a child on 17.03.2023. Later, FIR was lodged at



the behest of the family of respondent No. 2.

6. Father of respondent No. 2 is present in Court and says that he has no objection to quashing of FIR.

7. The marriage of the petitioner and respondent No. 2 was solemnized on 11.07.2024. The marriage certificate is on record.

8. 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. 233/2022 under Sections 363/376 IPC and Section 6 POCSO Act registered at PS Maidangarhi and proceedings emanating therefrom are quashed.

9. Parties shall abide by the terms of settlement.

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

11. *Dasti.*

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

ANISH DAYAL, J

AUGUST 1, 2024/KD

[Click here to check corrigendum, if any](#)