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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6661/2022 & CRL.M.A. 25931/2022**

MOHD. MERAJ

..... Petitioner

Through: Mr.R.H.A. Sikander and
Mr.Dilawar Abbas Naqvi,
Adv. along with petitioner in
person.

versus

GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
SI Manish Tyagi
Mr.Abujar, Adv. (through VC)
for R-2
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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22.01.2024

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), praying for quashing of FIR No. 355/2022 registered with Police Station: Jamia Nagar, Delhi under Sections 376/506 of the Indian Penal Code, 1860 (in short, 'IPC') and Section 6 of the Protection of Children from Sexual Offences Act, 2012 (in short, 'POCSO Act').
2. The learned counsels for the petitioner and the respondent no. 2 submit that the parties have amicably resolved their *inter se* disputes and, in fact, the petitioner and the respondent no.2/complainant are happily married now and have also been blessed with a child.
3. The Status Report filed by the respondent no. 1 states that the



fact of the marriage between the petitioner and the respondent no.2 has been duly verified with the concerned authority.

4. I have also interacted with the respondent no.2, who is present in person in the Court, and has been duly identified by the IO. The respondent no.2 reaffirms that she has settled all the *inter se* disputes with the petitioner of her own free will and without any coercion. She states that she is happily married and is also blessed with a child. The respondent no. 2 submits that she has no objection if the present FIR against the petitioner is quashed.

5. In view of the above, and considering the Settlement between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would rather be an unnecessary burden on the State exchequer. The continuation of the proceedings would rather act as a hindrance in the happy married life of the parties. In reaching the above conclusion, I am also guided by the judgment dated 22.05.2023 of this Court in CrI.M.C. 2153/2021, titled ***Vijay Kumar v. The State Govt. of NCT of Delhi & Anr.***, wherein, in similar circumstances, this Court held as under:

“6. Even though the judicial principles state that High Court must show restraint in quashing the FIR under section 6 POCSO, in the instant case, respondent No. 2 is in love with petitioner and has married him out of her own free will and choice.

7. The respondent No. 2 is a major now and wishes to stay with the petitioner as his wife along with their minor child. In this case, if the FIR is not quashed, three lives will be ruined. I am of the view that the minor child must get the due love and affection and upbringing



from both the parents.”

6. Accordingly, the petition is allowed. The FIR No. 355/2022 registered with Police Station: Jamia Nagar, Delhi under Sections 376/506 of the IPC and Section 6 of the POCSO Act, and all consequential proceedings emanating therefrom against the petitioner are quashed. Since the FIR is quashed, any further orders emanating therefrom shall not be given effect to.

7. The petition along with the pending application is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 22, 2024/ns/AS

Click here to check corrigendum, if any