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

+ **CRL.M.C. 6095/2024 & CRL.M.A. 23341/2024**

MOHAMMAD NAJIM

.....Petitioner

Through: Mr. G H Mirza, Advocate with
petitioner in person

versus

THE STATE(GOVT OF NCT OF DELHI) & ORS.Respondents

Through: Mr. Hitesh Vali, APP for the State
SI Bhawna Phogat, PS Gandhi Nagar

Mr. R P Bhatti, Mr. Pankaj Jain, Mr.
Rajender Kumar, Ms. Rakhi Sharma
& Mr. Santosh Kumar, Advs. for R-2
& 3 with R-2 & 3 in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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07.08.2024

1. This petition is filed seeking quashing of FIR No.231/2017 under Sections 363/366/376 IPC & Section 6 POSCO at PS Gandhi Nagar.
2. The said FIR was filed at the behest of complainant/respondent no.2, mother of respondent no.3 (a 14-year old girl) stating that she was suspicious of the relationship between her daughter (respondent no.3) and petitioner-accused and she was worried that he may take her away. FIR was lodged on this basis and there was no other allegation.
3. Petitioner, complainant/respondent no.2, mother of respondent no.3 are present in the Court today duly identified by the IO and their respective counsels.
4. Respondent no.3, who is now 25 years of age, states that she was in



relationship with petitioner and has since married him, and is now mother of three children born out of this wedlock. Both respondent nos. 2 and 3 state that they have no objection to quashing of the FIR.

5. In this scenario considering that the facts and circumstances, as noted above, this Court deems it fit to quash the FIR, to ensure peace and harmony in the lives of the couple and their three children, as also to ensure peaceful, harmonious and secure environment for their children in future.

6. 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.231/2017 under Sections 363/366/376 IPC & Section 6 POSCO at PS Gandhi Nagar and proceedings emanating therefrom are quashed.

7. Parties shall abide by the terms of settlement.

8. Accordingly, the petition is disposed of along with the pending application.

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

ANISH DAYAL, J

AUGUST 7, 2024/sm