



\$~51

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

+ **W.P.(CRL) 3533/2024**

TUSHAR JAIN

.....Petitioner

Through: Mr. Lokesh Kumar Mishra with Mr.
Nadeem Khan and Mr. Sahib-EAlam,
Advocates.

versus

STATE (GNCT OF DELHI) AND ANR

.....Respondents

Through: Mr. Amol Sinha, ASC for the State
with Ms. Chavi Lazarus, Advocate
with SI Ingkumnaro, P.S.: New
Ashok Nagar.
Mr. Dewansh Sehgal, Advocate for
R-2 alongwith R-2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

23.12.2024

CRL.M.A. 33794/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 3533/2024

In compliance of order dated 09.12.2024, respondent No.2/prosecutrix has filed Affidavit dated 09.12.2024 which confirms that as she had stated before the learned Magistrate at the time of recording her statement under section 164 of the Code of Criminal Procedure 1973, her relationship with the accused was consensual; that no promise to marry was extended to her by the petitioner; and the petitioner has not made any obscene videos or photographs of her.



In the circumstances, the prosecutrix states in her affidavit that she has no grievance against the petitioner; and does not object to the quashing of the subject FIR.

2. It is observed, that as recorded in order dated 09.12.2024, upon a query made to the prosecutrix, she has also confirmed that her date of birth is 12.06.2003; and that therefore, at the time of the incident in 2024, she was 'major'.
3. Ms. Chavi Lazarus, learned counsel appearing for Mr. Amol Sinha, learned ASC confirms that the State has no objection to the subject FIR being quashed.
4. In view of the above, based on the averments contained in the petition, and in particular Affidavit dated 09.12.2024 filed by the prosecutrix, FIR No. 567/2024 dated 29.10.2024 registered under sections 376(2)/506/354-D of the Indian Penal Code, 1860 at P.S.: New Ashok Nagar, Delhi is quashed. All proceedings arising therefrom also stand closed.
5. Petition stands disposed-of.
6. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 23, 2024

SS