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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 121/2025 & CRL.M.A. 679/2025**
HARNAM SINGH & ORS.

.....Petitioner

Through: Mr. Vishvinder Singh, Mr. Ishvinder
Singh, Advs.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Aashneet Singh, APP
SI Arti, PS Tilak Nagar
Mr. Karamveer Singh, Adv.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

14.01.2025

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CRL.M.A. 680/2025-EX.

Allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 121/2025

1. This is a petition filed under section 528 of BNSS seeking quashing of the FIR No. 481/2018, dated 03.10.2018, registered at PS Tilak Nagar under section 363 of IPC, 1860 and all consequential proceedings emanating therefrom, if any.
2. In the present case, the chargesheet against the petitioner no. 1 has been filed under sections 363/366 of IPC, 1860.
3. The petitioner no.1 is the husband of the respondent no.2 and the petitioner no.2 and 3 are the mother and brother of the respondent no.2. Petitioner nos. 4 and 5 are the family friends of respondent no.2.
4. As per the FIR the father of respondent no. 2/victim had registered a



complaint regarding his missing daughter. Subsequently, it was found that the respondent no. 2, aged about sixteen and a half years, had gone with petitioner no.1. Consequently, the statement of respondent no. 2 was recorded under Section 164 of the Code of Criminal procedure, 1973, upon which petitioner nos. 2 – 5 were added in the FIR and a supplementary chargesheet was filed against them under sections 363/366/354/34 of IPC, 1860; section 75 of J.J ACT; section 12 of POCSO Act.

5. During the pendency of the proceedings, the respondent No.2 and petitioner No.1 have got married and have a minor child who is about 3 years old.

6. The respondent no. 2 appears in person and states that the statement recorded under Section 164 of Code of Criminal procedure, 1973 was under anger and she has no disputes pending with any of the petitioners. She further states that she has no objection if the FIR is quashed.

7. The petitioner no. 1 is present in court and has been identified by his counsel, namely, Mr. Vishvinder Singh, Adv.

8. Respondent No. 2 is also present and has been identified by SI Arti, PS Tilak Nagar.

9. In ***Prem Kumar vs State and others*** 2024 SCC OnLine Del 628, a coordinate bench of this court quashed the FIR in similar circumstances as the parties in that matter got married to each other and were living happily. The operative portion reads as under:

12. In the present case, the parties have already married each other, as stated by the learned counsel for the petitioner. Attention of this Court has been drawn to the Affidavit-cum-No-objection given by respondent no. 3, where she has stated that



she has no objection in case the FIR is quashed. One cannot lose sight of the fact that both the petitioner and the respondent no. 3 are happily residing together with their two minor children and are considering to restart their lives together with a new beginning. This Court cannot be a silent spectator to or turn its back on the distressed family. If the impugned FIR is not quashed, the petitioner will have to face incarceration for at least 10 years which will negatively impact their lives, including their two minor children. The mistake or blunder, which otherwise constitutes an offence, has been committed due to immature act and uncontrolled emotions of two persons, out of whom, one was a minor, on the verge of majority, at the time of incident as claimed by the state.

13. The petitioner's prosecution and conviction will lead to pain and tears in the eyes of the family members of both the parties and future of two families will be at stake, whereas, if the impugned FIR is quashed, it would serve the ends of justice and would bring joy to both the families and two minor children as well.

10. I am convinced that the both the parties have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion. In addition, it is stated by respondent No.2 that she has no objection if the FIR is quashed. The petitioner No. 1 and respondent No. 2 are happily married and have a small child. Prosecution of the FIR will lead to unnecessary pain and suffering to all the parties concerned.



11. Since the parties have arrived at a settlement and no disputes are pending, I am of the view that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice. The Court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

12. For the reasons stated above, the FIR No. 481/2018, dated 03.10.2018, registered at PS Tilak Nagar under section 363 of IPC, 1860 and all consequential proceedings emanating therefrom, if any are hereby quashed.

13. The petition is disposed of accordingly.

JASMEET SINGH, J

JANUARY 14, 2025 / (MS)

Click here to check corrigendum, if any