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

+ **CRL.M.C. 761/2025 & CRL.M.A. 3610/2025**

MD. CHAND@SAMEER & ANR.

.....Petitioners

Through: Mr. Shivom Sethi, Mr. Anuj Kapoor
and Mr. Nandeesh Nanda, Advs. along with the
petitioners in person

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with SI Rajesh Kumar PS Vijay Vihar and W/ASI
Narinder Kaur, WR-I, Crime Branch, Rajouri
Garden, Delhi
Respondent no. 2/prosecutrix in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

24.09.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC.")] has been filed by the petitioners praying for quashing of FIR no. 876/2017 registered at Police Station Vijay Vihar, for offences punishable under Sections 363/366/368/376(n)/342/328/506/34 of the Indian Penal Code, 1860 (hereinafter "IPC") and Section 6 of the Protection of Children from Sexual Offences Act, 2012, of which all charges except Section 363 of the IPC were added subsequently in the concerned chargesheet filed.



2. The brief facts of the case are that the petitioner no. 1 and prosecutrix eloped together and went to Haridwar. Owing to which the aforesaid FIR under Section 363 of the IPC was registered at the behest of prosecutrix' father. Later, Sections 363/366/368/376(n)/342/328/506/34 were added to the FIR in question.
3. Learned counsel appearing on behalf of the petitioner, however, stated that on 03.10.2018, the petitioner no. 1, upon renouncing his religion, got married to the prosecutrix according to Hindu rites and ceremonies, and that one child is born out of this wedlock.
4. The prosecutrix appearing in person submits that she is living happily with petitioner no. 1 and their child for many years now, and prays that the FIR may be quashed.
5. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.
6. Heard learned counsel for the parties and perused the record.
7. The petitioners are present before this Court and have been identified by their counsel and Investigating Officer, Police Station Vijay Vihar. Respondent no. 2 is also present in the Court and has been identified by the Investigating Officer.
8. Upon a query put forth by this Court, respondent no.2 has categorically stated that she has entered into the compromise of her own volition and without any coercion or undue influence. It has further been stated that the entire dispute stands amicably resolved between the parties. She affirmed that the said settlement has been arrived at for securing her



child's future and, as a matter of prudence, the parties have decided to put a quietus to the present proceedings.

9. Keeping in view the fact that the matter stands amicably settled between the petitioners and respondent no. 2 without any pressure, no fruitful purpose would be served by keeping the matter pending.

10. In view of the fact that the parties have arrived at a settlement and further having regard to the fact that no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them. Further in view of the fact that the parties have arrived at settlement, the chances of ultimate conviction of the accused persons are also bleak.

11. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

12. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab* (2012) 10 SCC 303**, FIR no. 876/2017 registered at Police Station Vijay Vihar, for offences punishable under Sections 363/366/368/376(n)/342/328/506/34 of the IPC, Section 6 of the Protection of Children from Sexual Offences Act, 2012 and consequent proceedings emanating therefrom, are quashed *qua* the present petitioners.

13. The petition along with pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

SEPTEMBER 24, 2025

gs/av