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

+ **CRL.M.C. 1119/2025 & CRL.M.A. 5075/2025**

**KAMLESH KUMAR**

.....Petitioner

Through: Ms. Hemlata and Mr. Pradeep  
Pandey, Advs. along with petitioner

versus

**STATE NCT OF DELHI AND ANR**

.....Respondents

Through: Mr. Raghuinder Verma, APP for State  
with Mr. Aditya Vikram Singh, Adv.  
SI Ali Akram and W/SI Renu  
R-2 along with her parents in person

**CORAM:**

**HON'BLE MR. JUSTICE AJAY DIGPAUL**

**ORDER**

**12.09.2025**

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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 petitioner praying for quashing of FIR No. 846/2022, registered at Police Station Wazirabad on 02.11.2022, for offences punishable under Sections 376/363/366 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that respondent no. 2 reported that his daughter went missing from his residence on 01.11.2022. He suspected that the petitioner, a neighbour, had enticed her away, pursuant to which FIR No. 846/2022 was registered.



3. It is, however, stated that on 02.11.2022, the petitioner and daughter of respondent no. 2 got married according to the according to Hindu rites and ceremonies, and one child is born out of the wedlock.
4. Learned counsel for the petitioner submits that the supplementary chargesheet has already been filed against the petitioner. It is further submitted that the petitioner and respondent no. 2 have amicably settled their disputes and are desirous of leading a peaceful and harmonious life, the daughter of respondent no. 2 being now the wife of the petitioner.
5. A mutual settlement deed dated 11.12.2024 has been executed between the parties, which is on record and annexed as Annexure C. In terms thereof, respondent no. 2 has agreed to withdraw the case arising out of FIR No. 846/2022, registered at Police Station Wazirabad against the petitioner.
6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise.
7. 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.
8. Heard learned counsel for the parties and perused the record.
9. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer, Police Station Wazirabad. Respondent no. 2 is also present in the Court and has been identified by her counsel and the Investigating Officer.
10. 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 future and, as a matter of prudence, the parties have decided to put a quietus to the present proceedings.

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

**12.** 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.

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

**14.** 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. 846/2022, registered at Police Station Wazirabad for the offences punishable under Sections 376/366/363 of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioner.

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

**AJAY DIGPAUL, J**

**SEPTEMBER 12, 2025/ar/dd**