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

+ **W.P.(CRL) 664/2025**

PRAMOD PAL

.....Petitioner

Through: Ms. Sowjhanya Shankaran, Mr.Akash Sachan, Ms.Anuka Bachawat and Ms.Charu Sinha, Advocates

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mr.Sanjeev Bhandari, ASC with Ms.Sakshi Jha, Advocates with SI Deepak Yadav.
Along with Prosecutrix and complainant in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

11.09.2025

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1. Petitioner, 26 years old husband of the prosecutrix, as well as the 19 years old prosecutrix-wife herself, having got married to each other and blessed with a child, seek quashing of FIR No. 153/2021 dated 09.03.2021 under Sections 363/376 of IPC read with Section 6 of the POCSO Act, registered at police station Mundka along with all consequential proceedings emanating therefrom. No-objection affidavits have also been filed by Respondent no. 2 i.e. prosecutrix-wife and 3 (complainant/father of the prosecutrix).



2. Parties are present in person in court, as above. As stated, both are adults. The petitioner/husband (accused) is 26 years old, and the respondent no. 2/wife (prosecutrix) is 19 years old.

3. Facts of the case are rather peculiar. The case set up in the petition is that, at the relevant time, Respondent No. 2, aged 15 years, was the neighbour of the petitioner. On 10.03.2021, the father of the prosecutrix/Respondent No. 3 lodged a complaint regarding his missing daughter aged 15 years, i.e., the prosecutrix, and suspected the petitioner of having taken her away from the house after luring her. An FIR was registered under Section 363. The whereabouts of the prosecutrix remained unknown till 11.03.2021, when she was produced at the police station by her parents and was then medically examined. Subsequently, Section 376 of IPC and Section 6 of the POCSO Act were added.

3.1 The prosecutrix and the petitioner got married on 10.03.2021 as per Hindu rites. One girl child is born from the wedlock. The prosecutrix has now attained majority.

4. The learned counsel would submit that the prosecutrix, a major, has given her affidavit of no objection to the quashing of the FIR and same has been placed on record.

4.1 Learned counsel submits that the FIR was lodged by the prosecutrix's father in anger and disbelief against the petitioner, who was in a relationship with the prosecutrix.

4.2 He further submits the petitioner and Respondent No. 2 are now living together at their matrimonial home. They got married on 10.03.2021 of their own free will, and have been blessed with a girl child; hence, no purpose would be served continuing the FIR and would instead negatively impact the



welfare of the minor child. He would also submit that no fruitful purpose would be served in continuing the present FIR, and that to secure the ends of justice, the same deserves to be quashed.

4.3 Reliance has been placed on the judgment in ***Gian Singh v. State of Punjab (2012) 10 SCC 303*** which recognizes that even non-compoundable offences arising out of matrimonial or family disputes can be quashed when the offender and victim have amicably settled their disputes, as continuance of such proceedings would defeat the ends of justice.

4.4 Reliance has also been placed on ***Moeed Ahmad & Ors. v. State of NCT of Delhi & Ors. Crl. M.C. 9018/2024***, where an FIR under Sections 363/365/376/368/212/506/34 IPC r/w Section 4 POCSO Act was quashed after the prosecutrix and her father acknowledged that it was a love affair and the parties had since married and had children. Reference is also made to ***Vikash Kumar v. State & Anr. Crl. M.C. 1015/2021***, where, in a similar factual matrix, continuance of proceedings was held to cause immense harm to the prosecutrix and her child, and the FIR was accordingly quashed.

5. Both the counsel for respondent and the learned APP for the State concur with the factum of the compromise between the parties. Learned counsel for Respondent also conveys his no objection to the quashing of the FIR.

6. In the aforesaid backdrop, I have heard learned counsels for the parties as well as perused the material available on record.

7. Respondent nos.3 (father-in-law) and respondent No.2 (prosecutrix-wife) are present in Court. I have interacted with them. Upon a query, they candidly submit that there is no allegation that the petitioner used force, deceit, or any exploitative means to induce the respondent no.2 into a



relationship or marriage. She, on her own volition, exercised her right to choose her partner. They are happily living together as husband and wife. Respondent no.2 and 3 further submit that they do not wish to pursue with the proceedings further as there remains no dispute left unresolved between petitioner and the respondents. Prosecutrix, in fact, earnestly prays that FIR, lodged due to complete misunderstanding on the part of her father, be quashed. Even her father states that his son in law be absolved of the allegations earlier levelled by him.

8. In view thereof, considering that the parties are residing together harmoniously and leading a happy, peaceful, and tranquil family life, it would be travesty of justice to put the parties to undergo the harassment and humiliation of the trial, which, in any case, in all likelihood would result in the acquittal of the petitioner. Since, respondent no.2, being his wife, does not wish to press any charges. Quashing the proceedings would, on the contrary, safeguard the sanctity of their marital life, prevent unwarranted hardship, and uphold their right to live together in peace and dignity, free from stigma.

9. The parties have built a family unit, and thus continuing the proceedings would destabilize their lives and would serve no societal or public interest. It would rather inflict unnecessary trauma on a consensual relationship that has now evolved into a legal marriage.

10. Continuing with criminal proceedings would serve no useful purpose. It would be a drain on judicial resources and abuse of the process of law.

11. In the premise, the ends of justice thus warrant quashing of the proceedings under Section 528 BNSS, thereby enabling the couple to lead a



peaceful and dignified life. Reference in this context may also be made to judgment rendered in the case of ***Gian Singh*** (supra).

12. Accordingly, the present petition is allowed, and FIR No. 153/2021 dated 09.03.2021 under Sections 363/376 of IPC read with Section 6 of the POCSO Act, registered at police station Mundka and all consequential proceedings arising therefrom, are hereby quashed.

13. Pending application, if any, also stands disposed of.

ARUN MONGA, J

SEPTEMBER 11, 2025/SV