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

+ **CRL.M.C. 1588/2025**

ABDUL SUBHAN ANSARI

.....Petitioner

Through: Petitioner with his counsel Mr. Mehroon Nisha, Mr. Shaurya Lamba, Mr. Shiv Bhatnagar, Mr. Abhinav Chandan, Mr. Yash Singh Rana, Mr. Raj Narayan Pal, Mr. Joginder Shehrawat and Ms. Geeta Rani, Advs.

versus

STATE THROUGH SHO

.....Respondent

Through: Mr.Naresh Kumar Chahar, APP for the State with Ms. Puja Mann, Adv.along with SI Mahesh Yadav. R-2 in person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

19.08.2025

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1. By way of present petition, the petitioner seeks quashing of FIR bearing No. 0533/2016, registered at Police Station Dwarka North, Delhi for the offence punishable under Section 74 of the Bhartiya Nayay Sanhita, 2023 (hereafter 'BNS') and Section 10 of the Protection of Children from Sexual Offence Act, 2012 (hereafter 'POCSO Act') and all consequential proceedings arising therefrom.
2. Brief facts of the case are that due to some misunderstanding between the petitioner and respondent no. 2, a complaint was lodged by the mother of



the victim, which resulted into registration of the present FIR.

3. The learned counsel appearing for the petitioner submits that the victim and her mother had appeared before the learned Trial Court at the time of hearing of the anticipatory bail application, wherein the victim had given a statement that she had filed a false complaint against the petitioner and nothing wrong had been committed with her. The learned Trial Court had also recorded the statement of the mother of the victim, who also submitted that her daughter used to get hyper and in the fit of anger, she had made such statement. The mother had also made a statement that the victim is uncontrollable and they had taken her to Police Station and got the present complaint filed. However, later on, she also disclosed that no such incident had happened. She had also informed the Court that her daughter is under medication.

4. The complainant and her mother are present before this Court and they have also reiterated their statements given before the learned Trial Court, at the time of hearing of the anticipatory bail application.

5. During the course of proceedings before this Court, the learned counsel appearing for the petitioner had also drawn attention of this Court to the medical certificate and the prescription of the Doctor concerned. This Court had also gone through the statement of the victim and her mother along with the medical prescription dated 29.07.2024, issued by the Indira Gandhi Hospital, Sector -9, Dwarka, New Delhi-110077, wherein it is mentioned by the Doctor concerned that the patient also has acute anxiety, fearfulness and pseudo hallucination.

6. Considering that these documents have been verified by the concerned Investigating Officer to be genuine, this Court finds it a fit case



for quashing the FIR in question.

7. Accordingly, FIR bearing No. 0533/2016, registered at Police Station Dwarka North, Delhi for the offence punishable under Section 74 of the BNS and Section 10 of the POCSO Act and all consequential proceedings emanating therefrom are quashed.

8. In view of above, the present petition stands disposed of.

9. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 19, 2025/A