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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2759/2025 & CRL.M.A. 12375/2025**
VISHALPetitioner

Through: Mr. Vijay Kumar, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ORS.Respondents
Through: Mr. Hemant Mehla, APP for R-1.
SI Buglesh, P.S. MS Park.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
22.07.2025

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1. On 16th May, 2025, this Court passed the following order:

“1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeks quashing of FIR No. 253/2022, under Section 363 of the Indian Penal Code, 1860¹, as well as all consequential proceedings emanating therefrom, including invocation of Section 376 of IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012. This request is made on the basis of a compromise arrived at between the parties.

2. It is noted that the date of birth of the Prosecutrix – i.e., Respondent No. 3, as recorded in her Aadhar Card is 13th December, 2007. In such circumstances, the Court has queried as to how the quashing of the subject FIR is maintainable on the basis of the purported consent of the Prosecutrix and her mother. Counsel for the Petitioner states that he needs time to examine the case law on this aspect.

3. At his request, list on 22nd July, 2025. “

2. Counsel for the Petitioner now fairly states that, considering the fact that the prosecutrix continues to be a minor as on date, he seeks leave to

¹ “IPC”



withdraw the present petition, with liberty to file afresh once the prosecutrix attains majority.

3. Accordingly, leave and liberty as prayed for are granted.

4. The petition, along with the pending application, is dismissed as withdrawn.

SANJEEV NARULA, J

JULY 22, 2025

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