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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1372/2022**

DEEPINDER PALSINGH & ANR.Petitioners
Through: Mr. Madhu Mukul
Tripathi, Mr. Gajendra
Singh Mavi, Ms. Nisha
Sharma, Mr. Aman Goel
& Mr. Shashank Dubey,
Advs.

versus

GOVT. OF NCT OF DELHI & ANR.Respondents
Through: Mr. Amol Sinha ASC
(Crl.) for the State along
with Mr. Kshitiz Garg,
Mr. Ashvini Kumar & Mr.
Nitish Dhawan, Advs.
SI Jyoti, PS Hari Nagar.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
05.05.2025

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1. The present petition is filed seeking quashing of FIR No. 555/2021 dated 30.09.2021, registered at Police Station Hari Nagar, for offences under Sections 376/328 of the Indian Penal Code, 1860 ('IPC') and Section 6 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO').
2. The FIR was registered on the complaint by the prosecutrix alleging that she was brought to Delhi by one lady and was made to work in a house. She alleged that in that house, she was made to do household jobs and despite having worked for three months, she was not paid any money despite being promised that she will be paid ₹4,000/- per month. The victim further alleged that the employer had also sexually exploited her.

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3. The Police had registered a FIR and the child victim was also sent to Child Welfare Committee. The police claims that the house where the victim worked was owned by the petitioner.

4. It is undisputed that Petitioner No. 2, at the time when the FIR was registered, had already expired. The Police also, pursuant to the evidence, has not found any evidence against the petitioners and Petitioner No.1 has been kept in column No. 12.

5. The learned counsel for the petitioners submits that the FIR ought to be quashed since the Police has not found any evidence against the petitioners. He further submits that the FIR should also be quashed against Petitioner No. 2 since he at the time of the registration of the FIR had already expired on 24.05.2021.

6. The FIR was registered on 30.09.2021 wherein the complainant had alleged that she had been exploited from the last three months. Thus, undisputedly, Petitioner No. 2 could not be involved in any of the offences as alleged.

7. Even otherwise, in the opinion of this Court, the petitioners were not named as accused persons. The State only mentions that the house where the offence allegedly took place was owned by the petitioners. As noted above, the State has not found any evidence against Petitioner No. 1, who has been kept in column No.12.

8. Thus, no orders are required to be passed in the present petition at this stage.

9. Concededly, the learned Trial Court has not taken cognizance against Petitioner No. 1. Thus, merely, because the name of the petitioners finds reference in the FIR cannot be a ground for seeking quashing of the FIR. The petitioner is at liberty to file an appropriate petition in case, at any stage, the
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learned Trial Court takes cognizance of the offence against
Petitioner No. 1.

10. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

MAY 5, 2025
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