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

+ **CRL.M.C. 3683/2025**

KAPIL

.....Petitioner

Through: Mr. Salekh Chand Yadav, Mr.
Shahrukh Salmani and Mr. Sandeep Yadav, Advs.
along with petitioner

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Satish Kumar, APP for State with
SI Pravesh, PS Mundka
Victim along with R-2/complainant

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER
11.11.2025

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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. 209/2021 registered at Police Station Mundka for the offences punishable under Sections 363/376 of the Indian Penal Code, 1860 (hereinafter "IPC") and Section 4 of the POCSO Act.

2. The brief facts of the case are that respondent no. 2 reported that his daughter went missing from his residence on 28.03.2021. He searched for his daughter with near relatives and neighbours but was unable to find her, pursuant to which FIR No. 209/2021 was registered.



3. It is, however, stated that on 05.10.2023, the petitioner and daughter of respondent no. 2 got married according to Hindu rites and ceremonies.
4. Learned counsel for the petitioner submits 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. The copy of marriage certificate of the petitioner and daughter of respondent no. 2 is on record and has been annexed as “Annexure A4”.
5. Memorandum of Understanding dated 30.04.2025 was executed between the parties and the same is on record. In terms thereof, respondent no. 2 has agreed to withdraw the case arising out of FIR No. 209/2021, registered at Police Station Mundka 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 petitioner 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 Mundka. Respondent no. 2 along with his daughter are also present in the Court and have been identified by the counsel and the Investigating Officer.
10. Upon a query put forth by this Court, respondent no.2 has categorically stated that he has entered into the compromise of his own volition and without any coercion or undue influence. It has further been



stated that the entire dispute stands amicably resolved between the parties. He affirmed that the said settlement has been arrived at for securing the future of his daughter and, as a matter of prudence, the parties have decided to put a quietus to the present proceedings. He states that, owing to his daughter and the petitioner being married for around 2 years now, it is best that they may be given a chance to nurture their family and focus on their future together,

11. 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.

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

13. 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. 209/2021 registered at Police Station Mundka for the offences punishable under Sections 363/376 of the IPC and Section 4 of the POCSO Act, and consequent proceedings emanating therefrom, are quashed qua the present petitioner.

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

AJAY DIGPAUL, J

NOVEMBER 11, 2025/ar/av