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

+ CRL.M.C. 4331/2025

SUMIT KUMAR

.....Petitioner

Through: Mr. Rajveer Singh, Adv. with the
petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Satish Kumar, APP for State
along with Ms. Puja Mann, Adv. along with Insp
Satbir Singh and SI Braj Prakash, Jaitpur.

Mr. Sandeep Choudhary, Mr. Ajay Chaudhary and
Ms. Soniya Tanwar, Advs. for Respondent No. 2
and 3 With Respondent No. 2 and 3

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

10.09.2025

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1. The instant petition under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC") read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed for quashing of FIR no. 638/2018, registered at Police Station Jaitpur, for offences punishable under Section 363 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. Brief facts of the case are that the petitioner and respondent no. 3 are currently legally wedded. Owing to the objection to their relationship, respondent no. 2 (mother of respondent no. 3) got FIR no. 638/2018 registered at Police Station Jaitpur under Section 363 of the IPC, alleging



that an unknown person has kidnapped her minor daughter. A chargesheet has also been filed pursuant to completion of investigation in the matter.

3. Thereafter, respondent no. 3 and the petitioner filed a writ petition being WP (Crl) no. 3497/2018 before this Court seeking declaration of themselves to be majors at the date of their marriage. Since then, the two of them have been living together at the address mentioned in the memo of parties in the present petition as a legally wedded couple.

4. It is submitted that the petitioner and respondents have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future. Memorandum of Understanding dated 04.06.2025 (hereinafter “Deed”) is on record and has been annexed as “Annexure P-6” to the present petition. Through this Deed, the petitioner and respondent no. 2 have settled their disputes.

5. 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 Memorandum of Understanding.

6. 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 which has been arrived at between the parties.

7. Heard learned counsel for the parties and perused the record.

8. The petitioners are present before this Court and have been identified by their counsel and the Investigating Officer, Police Station Jaitpur. The respondents are also present in Court and have been identified by their counsel and the Investigating Officer.



9. On a query made by this Court, the respondents have categorically stated that they have entered into compromise on their own free will and without any pressure. It is also stated by them that the entire dispute has been amicably settled between the parties.

10. Keeping in view the fact that the matter stands amicably been settled between the petitioner and respondents without any pressure, and that the petitioner and respondent no. 3 are living together as husband and wife, no fruitful purpose would be served by keeping the matter pending.

11. 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. 638/2018, registered at Police Station Jaitpur, for offences punishable under Section 363 of the IPC, and consequent proceedings emanating therefrom, stands quashed *qua* the present petitioner.

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

AJAY DIGPAUL, J

SEPTEMBER 10, 2025

Sk/av