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

+ **CRL.M.C. 6196/2025**

ARIF MALIK @SHANU

.....Petitioner

Through: Mr. Ishwar Singh, Mr. Gyan Chandra
and Mr. Karan Singh, Advs. alongwith petitioner
in person

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Raghuinder Verma, APP for State
with Mr. Aditya Vikram Singh, Adv. with SI
Manisha, PS Mahendra Park
Victim in person

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. 0084/2019, registered at Police Station Mahendra Park, for offences punishable under Sections 363/376 of the Indian Penal Code, 1860 (hereinafter "IPC") and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

2. The brief facts of the case are that the uncle of the victim (niece) alleged that his niece i.e., respondent no. 2, who had been residing with him for the past 15 years, went missing from his residence in the intervening



night of 02.03.2019. Despite efforts, respondent no. 2 could not be traced. It was further alleged that some unknown person had enticed and taken away respondent no. 2. Accordingly, the present FIR got registered.

3. Learned APP appearing on behalf of the State argues on the line of status report filed before this Court. It states that on 03.03.2019, the victim 'S' (respondent no. 2) was produced before police and stated that she had physical relations with the petitioner whom she met through Facebook.

4. The report further mentions that during trial on 07.09.2022, respondent no. 2 married the accused and has since been residing with him at Rajiv Nagar, Bhalswa Dairy, Delhi, where they have been blessed with a child born on 19.02.2024. Statements of relatives and neighbours confirm that respondent no. 2 is living peacefully with the accused, and her family has severed ties with her.

5. 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. It is submitted that the petitioner and respondent no. 2 were in love with each other and they wanted to marry however, due to interfaith marriage, family of respondent no. 2 were not ready and respondent no. 2 was also a minor at that time. After completion of the investigation, chargesheet has been filed against the petitioner.

6. A Memorandum of Understanding dated 21.08.2025 (hereinafter "MOU") has been executed between the parties, which is on record and annexed as Annexure P-2. In terms thereof, respondent no. 2 has agreed to withdraw the case arising out of FIR No. 0084/2019, registered at Police Station Mahendra Park against the petitioner.



7. It is submitted by the parties appearing in person that they have been residing together and are blessed with one male child. They have no objection if the present FIR may be quashed.
8. It is prayed by the parties that the instant FIR may be quashed on the basis of MOU.
9. 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.
10. Heard learned counsel for the parties and perused the record.
11. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer, Police Station Mahendra Park. Respondent no. 2 is also present in the Court and has been identified by the Investigating Officer.
12. Upon a query put forth by this Court, respondent no. 2 has categorically stated that she has entered into the compromise of her own volition and without any coercion or undue influence. It has further been stated that the entire dispute stands amicably resolved between the parties. She affirmed that the said settlement has been arrived at for securing her future and, as a matter of prudence, the parties have decided to put a quietus to the present proceedings.
13. In view of the fact that the complainant, who is the uncle of the victim, has stated that they have severed all relations with respondent no. 2 and are not concerned with the present case, and further in view of the fact that the parties have amicably settled the matter, continuation of the proceedings would serve no useful purpose and may only lead to further



acrimony between them. This Court deems it appropriate to bring the proceedings to a close.

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

15. 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. 0084/2019, registered at Police Station Mahendra Park, for offences punishable under Sections 363/376 of the IPC, Section 4 of the Protection of Children from Sexual Offences Act, 2012 and consequent proceedings emanating therefrom, are quashed *qua* the present petitioner.

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

AJAY DIGPAUL, J

NOVEMBER 11, 2025
gs/dd