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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6311/2025 & CRL.M.A. 26681/2025

MAHVISH & ANR.

.....Petitioners

Through: Mr. Hazim Husain Qureshi
and Mr. Aadil Zameel,
Advs.

Both the petitioners in
person.

versus

THE STATE GOVT. OF NCT OF DELHI
AND ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for
the State with SI
Ramkishore and SI Achal,
PS Zamia Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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08.09.2025

1. By the present petition, the petitioners seek quashing of FIR No. 119/2023 dated 05.03.2023, registered at Police Station Jamia Nagar, for the offence under Section 363 of the Indian Penal Code, 1860 (**IPC**).
2. The FIR was registered pursuant to a complaint given by the complainant/father alleging that his daughter, who is Petitioner No. 1, has been kidnapped by Petitioner No. 2.
3. The victim / Petitioner No. 1 is present in person in Court today and has been duly identified by the Investigating Officer.
4. On being asked, the victim states that she categorically told the Police that she had gone with Petitioner No. 2 of her own free will. She further submits that she voluntarily went to Haridwar with Petitioner No. 2 since at that time she was in a romantic relationship with Petitioner No. 2.



5. She submits that her father did not accept the said relationship which led to the complaint being given to the Police.

6. She further submits that thereafter, she married Petitioner No. 2 on 24.06.2023 upon attaining the age of majority and has been happily residing with Petitioner No. 2.

7. The fact that the petitioners have married each other has also been confirmed by the Investigating Officer.

8. It is undisputed that the victim gave a statement under Section 164 of the Code of Criminal Procedure, 1973 before the learned Metropolitan Magistrate, wherein she stated that she had gone with Petitioner No. 2 on her own and nothing untoward had happened to her.

9. Considering the statement of the victim, in the opinion of this Court, no chargesheet was required to be filed when the victim had herself stated that she had voluntarily gone with Petitioner No. 2.

10. As noted above, the petitioners have since married and have been happily residing together for the last two years. In such circumstances, the continuance of the present proceedings is nothing but an abuse of the process of Court.

11. In view of the above, the present petition is allowed and FIR No. 119/2023 and the consequential proceedings emanating therefrom are quashed. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

SEPTEMBER 8, 2025

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