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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7298/2023 and CRL.M.A. 27234/2023**

VIKAS

.....Petitioner

Through: Mr. Rudraksh Pandey, Advocate.
versus

THE STATE AND ANOTHER

.....Respondents

Through: Ms. Priyanka Dalal, APP for the State
with SI Loveleen, PS – Moti Nagar.
Mr. Ashwani Kumar, Advocate for
respondents no. 2 and 3 with
respondents no. 2 and 3 in person.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
13.08.2025

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1. Petitioner, husband of the prosecutrix, seeks quashing of FIR No. 101/2021 dated 18.03.2021, registered at P.S. Moti Nagar, under Section 363, 366, 366-A, 376 of IPC and Section 6 of POSCO Act, along with all consequential proceedings emanating therefrom.
2. Parties are present in person in court, as above. The petitioner/husband (accused) is 31 years old, and the respondent no. 3/wife (prosecutrix) is 21 years old.
3. Facts of the case are rather peculiar. At the relevant time, respondent no.3, aged 16 years, was friends with the petitioner. However, respondent no.2 (mother of respondent no.3) objected to the friendship on account of caste differences. On 18.03.2021, the petitioner and respondent no.3 went for a picnic without informing their families. Respondent no.2, being



unaware of her daughter's whereabouts, lodged a complaint regarding her missing daughter, leading to the registration of FIR in question.

3.1 Subsequently, upon attaining the age of majority, respondent no.3 and petitioner solemnized their marriage 17.09.2022 as per Hindu rites, with certificate of marriage appended as Annexure P-2. No child is born from the wedlock.

4. Learned counsel for the petitioner would submit that after the solemnization of marriage, the petitioner and respondent no.3 have been residing together as husband and wife. It is further submitted that although respondent no.2 had initially opposed the marriage, she subsequently accepted it upon realizing the deep affection between the petitioner and respondent no.3, and since then no dispute has arisen between them.

5. Learned counsel would further submit that the couple have been facing hardships and are running from pillar to post to save their life due to their unnecessary involvement in the said FIR. He would also submit that respondent no. 3, in her statement under Section 164 Cr.P.C., categorically affirmed that the marriage was voluntary and free from any coercion or undue influence.

6. Learned APP opposes the quashing petition stating that any indulgence from this Court would give wrong signal to the society at large and promote illicit relationships. He thus seeks dismissal of the petition.

7. In the aforesaid backdrop, I have heard learned counsels for the parties as well as perused the material available on record.

8. Respondent nos.2 (mother) and 3 (prosecutrix-wife) are present in Court and I have interacted with them. Upon a query, they candidly submit that there is no allegation that the petitioner used force, deceit, or any



exploitative means to induce the respondent no.3 into a relationship or marriage. She on her own volition exercised of her right to choose her partner. They are happily living together as husband and wife. Respondent no.2 and 3 further submit that they do not wish to pursue with the proceedings further as there remains no dispute left unresolved between petitioner and the respondents. She in fact earnestly prays that FIR, lodged due to complete misunderstanding on the part of her mother, be quashed and her husband be set free of the stigma. Her mother also makes the same prayer that her son in law be absolved of the allegations earlier levelled by her.

9. In view thereof, considering that the parties are residing together harmoniously and leading a happy, peaceful, and tranquil family life, it would be travesty of justice to put the parties to undergo the harassment and humiliation of the trial, which in any case in all likelihood would result in the acquittal of the petitioner since respondent no.3, being his wife, does not wish to press any charges. Quashing the proceedings would, on the contrary, safeguard the sanctity of their marital life, prevent unwarranted hardship, and uphold their right to live together in peace and dignity, free from stigma.

10. The parties have built a family unit, and thus continuing the proceedings would destabilize their lives and would serve no societal or public interest. It would rather inflict unnecessary trauma on a consensual relationship that has now evolved into a legal marriage.

11. Continuing with criminal proceedings would serve no useful purpose. It would be a drain on judicial resources and abuse of the process of law, Continuation of the proceedings, on the other hand, may result in hostility between the parties and defeat the very purpose of the settlement.



12. In the premise, the ends of justice thus warrant quashing of the proceedings under Section 528 BNSS, thereby enabling the couple to lead a peaceful and dignified life. Reference in this context may also be made to judgment rendered in the case of ***Gian Singh vs. State of Punjab &Anr.*** [(2012) 10 SCC 303].

13. Accordingly, the present petition is allowed, and FIR No. 101/2021 dated 18.03.2021, registered at P.S. Moti Nagar, under Sections 363, 366, 366-A, 376 of IPC and Section 6 of POSCO Act, and all consequential proceedings arising therefrom, are hereby quashed.

14. Pending application, if any, also stands disposed of.

ARUN MONGA, J

AUGUST 13, 2025/kd