



\$~18

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 7009/2025 & CRL.M.A. 29465/2025,
CRL.M.A. 29466/2025

MANISH KUMAR

.....Petitioner

Through: Mr. Yogesh Sharma and
Ms. Pratima Ravi, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Neetu Shekhawat, PS C.R.
Park.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

11.11.2025

1. By the present petition, the petitioner seeks quashing of FIR No. 88/2025 dated 22.04.2025, registered at Police Station Chitranjan Park for the offence under Section 376 of the Indian Penal Code, 1860.
2. The learned counsel for the petitioner submits that even if the allegations are taken at the highest, the petitioner and the prosecutrix were in a consensual relationship for a long period of time and the complaint was given only when the petitioner was not able to marry the prosecutrix.
3. He submits that the Hon'ble Apex Court has time and again held that consensual relationships cannot be given the colour of rape only because the parties were unable to marry.
4. He submits that concededly, the parties were in a consensual relationship for a very long period of time.



5. It is pointed out that pursuant to the investigation, the police has already filed the chargesheet and the matter is now listed before the learned Trial Court for arguments on charge.

6. While this Court is empowered to quash criminal proceedings even after filing of chargesheet to secure the ends of justice or to prevent abuse of law, it is well settled that ordinarily, this Court should be cautious to exercise inherent jurisdiction and interfere with the proceedings after chargesheet has been filed after thorough investigation [Ref. ***State of Odisha v. Pratima Mohanty and Others: (2022) 16 SCC 703***].

7. Undisputedly, the learned Trial Court is competent to hear all arguments and is also bound by the law laid down by the Hon'ble Apex Court. The learned Trial Court is also privy to the investigation carried out and is duty bound to pass appropriate order after hearing the parties.

8. This Court, in such circumstances, does not consider it apposite to entertain the present petition at this stage.

9. The present petition is dismissed with the liberty to the petitioner to raise all arguments and issues before the learned Trial Court while addressing arguments on charge. Pending applications also stand disposed of.

10. Needless to say, the petitioner is at liberty to approach this Court in case any grievance remains in future.

AMIT MAHAJAN, J

NOVEMBER 11, 2025

'KD'