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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7291/2025 & CRL.M.A. 30592/2025,**
CRL.M.A. 30593/2025

DURGESH KUMAR

.....Petitioner

Through: Mr. Ashim Shridhar, Ms.
Radhika Gupta & Ms.
Ishika Jain, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for
the State.
SI Meena, PS Maurya
Enclave.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
14.10.2025

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1. The present petition is filed seeking quashing of FIR No.141/2025 dated 04.04.2025, registered at Police Station Maurya Enclave, for offences under Sections 328/376/506 of the Indian Penal Code, 1860.

2. The learned counsel for the petitioner submits that the parties were in a consensual relationship, which is also evident from the order dated 17.07.2025, whereby a Coordinate Bench of this Court admitted the petitioner on bail. He submits that this Court has categorically noted that the petitioner and the prosecutrix had developed close proximity and were in a consensual relationship. He submits that it is also noted that the parties had also lived together in Delhi for a short period of time,

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but when the relationship turned sour, the allegations of rape were made which led to registration of FIR.

3. He further submits that the prosecutrix had made similar allegations against another person which had led to registration of an FIR, being, FIR No.245/2024, registered at Police Station Raipur, Dehradun.

4. The prosecutrix and the petitioner were concededly in a live-in-relationship for quite some time and the FIR was registered belatedly in the month of April, 2025.

5. The order granting bail to the petitioner indicates that the petitioner had a good *prima facie* case in his favour. The interim bail application filed by the petitioner before the learned Trial Court was also allowed on 07.05.2025 after taking note of the joint statement of the prosecutrix and the petitioner that they wanted to get married.

6. The petitioner has relied upon certain WhatsApp messages which indicate that the prosecutrix herself has refused to get married with the petitioner.

7. 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***].

8. *Prima facie*, it appears to be a case of a consensual relationship having soured, however, considering that the chargesheet has already been filed and the matter is now listed



before the Trial Court for arguments on charge, this Court does not consider it apposite to entertain the present petition at this stage.

9. The present petition is dismissed with 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. The learned Trial Court shall pass an order in accordance with law after considering the facts and applicable law.

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

AMIT MAHAJAN, J

OCTOBER 14, 2025
“SK”