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

+ **CRL.M.C. 7828/2025 & CRL.M.A. 32796/2025**

PRINCE KASHYAP

.....Petitioner

Through: Mr. Sidhant Dhingra, Adv.

versus

STATE OF NCT OF DELHI AND ORSRespondents

Through: Mr. Sunil Kumar Gautam,
APP for the State.

SI Vishal Rana, PS
Gandhi Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

07.11.2025

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1. The present petition is filed seeking quashing of FIR No. 354/2025 dated 13.08.2025, registered at Police Station Gandhi Nagar, for the offence under Section 10 of the Protection of Children from Sexual Offences Act, 2012 and Sections 506/34 of the Indian Penal Code, 1860.

2. Briefly stated, the FIR was registered on a complaint made by Respondent No.2 against the petitioner and other accused persons. It was alleged that about one and a half years prior to registration of FIR, when Respondent No.2 went to use the washroom in the Guest House above his father's shop, the accused persons— one Manish, Sanjiv and the petitioner, who used to stay there, entered the toilet and forcibly stripped Respondent No.2 naked. Allegedly, the accused Manish touched the private parts of Respondent No.2 inappropriately and also touched his own private parts with that of Respondent No.2's.



The accused Manish also allegedly threatened Respondent No.2 against making noise or telling anyone. Allegedly, the accused Sanjiv stood guard at the gate and laughed loudly while the petitioner also supported the accused Manish, and threatened to ruin the life of Respondent No.2. The act allegedly happened with Respondent No.2 many times, however, he did not tell anyone about the same due to threats. On 27.07.2025, when Respondent No.2 had gone to deliver goods to a customer, he encountered the accused Manish, who asked him to come to the Guest House. Pursuant to the same, Respondent No.2's uncle noticed that Respondent No.2 was scared which subsequently led to Respondent No.2 disclosing about the incidents to his father. A PCR call was made by Respondent No.2's father, which led to registration of the FIR.

3. The learned counsel for the petitioner submits that the FIR was registered as a counterblast as several proceedings initiated by the petitioner against the father of the victim.

4. He submits that a dispute arose between the petitioner and the father of the victim in regard to non payment of approximately ₹4,00,000/-, which led to initiation of civil proceedings by the petitioner for recovery of the amount.

5. He submits that even otherwise, the allegations made in the FIR are improbable and false. He submits that admittedly, one incident relates to 27.07.2025, and the CCTV footage would clearly show that the petitioner was not present on the spot on that day.

6. *Ex facie*, the arguments raised on behalf of the petitioner are in the nature of defence and cannot be gone into by the Court at the initial stage while exercising its inherent power under



Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Moreover, the FIR was only registered on 13.08.2025 and the Investigating Officer informs that the chargesheet is yet to be filed in the present case. Undisputedly, the police will investigate all aspects, including the arguments raised by the petitioner, and file an appropriate report.

7. While there is no blanket embargo against exercise of inherent jurisdiction to quash an FIR if the investigation is at a nascent stage, in the opinion of this Court, the present FIR cannot be quashed at this juncture on the contested grounds, which are essentially in the nature of the defence, and would require investigation.

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

9. Needless to say, the petitioner is at liberty to pursue his remedies after the investigation is complete and to agitate all arguments before the learned Trial Court at an appropriate stage.

10. The present petition is dismissed in the aforesaid terms. Pending application also stands disposed of.

AMIT MAHAJAN, J

NOVEMBER 7, 2025

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