



\$~48

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

+ **CRL.M.C. 7861/2025, CRL.M.A. 32938/2025**

MOHIT KUMAR PATHAK ALIAS MOHITPetitioner

Through: Ms. Vijayalaxmi Jha, Mr. Nadeem
Ahmad, Advocates with Petitioner.

versus

STATE (GNCT OF DELHI) AND ORSRespondents

Through: Mr. Shoaib Haider, APP for the State.
Counsel for the Respondent No. 2
(appearance not given)

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

10.11.2025

%

1. Criminal Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (old Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*)), has been filed on behalf of the Petitioner, Mohit Kumar Pathak @ Mohit for quashing of FIR No. 469/2022 dated 25.05.2022 under Section 363/376 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) and Section 6 of POCSO Act, registered at Police Station Mundka, Delhi and all the consequential proceedings emanating therefrom, in terms of the Settlement/Affidavit dated 08.09.2025.

2. Issue Notice.

3. On advance Notice, learned APP has appeared and accepted the



Notice on behalf of the State.

4. Brief facts of the case are that in 2020-2021, the Respondent No. 2 and the Petitioner knew each other and wanted to marry with each other. On 24.05.2022, the Respondent No. 2 left her parental home of her own free will, without any inducement, threat or compulsion. The Affidavit of the Respondent No.2 has been annexed along with the Petition wherein it has been stated that she had voluntarily got married to the Petitioner on 01.06.2022 in a temple at Bihar. She was major and was aged 19 years and one daughter was born from their wedlock on 01.06.2023. They both are living happily as husband and wife.

5. It is submitted by the Petitioner, as well as, the Respondent No. 2 that because the Respondent No 2 was working, she had got an Aadhar Card prepared showing her as major. No investigations have been done by the Investigating Officer, to check the veracity of the Aadhar Card of the Respondent No. 2.

6. The father of the Respondent No. 2 lodged an FIR No.469/2022 dated 25.05.2022 under Section 363/376 IPC and Section 6 of POCSO Act at Police Station Mundka, Delhi.

7. Today, the Respondent No. 2 is present in the Court, who states that she has no objection if the said FIR is quashed.

8. The parties are present before this Court in-person today, and have been identified by their Counsel and Investigating Officer concerned and they have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

9. Considering that they both have got married and are living happily, the FIR No. 469/2022 dated 25.05.2022 under Section 363/376 of IPC and



Section 6 of POCSO Act, registered at Police Station Mundka, Delhi and all the consequential proceedings emanating therefrom are quashed.

10. The Petition is disposed of accordingly. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J

NOVEMBER 10, 2025/RS