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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 8252/2025 & CRL.M.A. 34419/2025 & CRL.M.A.
34421/2025 & CRL.M.A. 34422/2025 & CRL.M.A. 34423/2025

RAJ KHATRI

.....Petitioner

Through: Mr. Lalit Kumar and Ms. Sonali,
Advts. along with the petitioner in person

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with Ms. Upasna Bakshi, Adv. with SI Pawan, PS
Vasant Kunj, South
Respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

20.11.2025

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CRL.M.A. 34420/2025

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 8252/2025

3. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC")] has been filed by the petitioner seeking quashing of the order dated 24.03.2025 passed by the learned ACJM-02, New Delhi District, Patiala House Courts in Cr. Case No.



10530/2017; (ii) FIR No. 179/2013 dated 12.05.2013, P.S. Vasant Kunj South, registered under Section 363 Indian Penal Code, 1860; and (iii) the charge-sheet/final report dated 18.05.2013.

4. Learned counsel for the petitioner submits that respondent No.2 is the wife of the petitioner. They have been married since 2015, and a copy of their Marriage Registration Certificate has been placed on record as Annexure-P/3. It is submitted that two children have been born from the marriage, and the petitioner and respondent No.2 have been living peacefully as a family. It is further contended that respondent No.2 has no grievance, either past or present, against the petitioner, and she has filed a sworn affidavit (Annexure-P/6) confirming that she does not wish to pursue the FIR and has no objection to quashing the proceedings.

5. Learned counsel submits that the FIR arose out of a misunderstanding between respondent No.2's father (respondent No.3) and the petitioner. Respondent No.3 is stated to be residing in Nepal and had lodged the complaint due to miscommunication when respondent No.2 (then a minor) had left home along with the petitioner. It is submitted that respondent No.2, in her statement under Section 164 of the CrPC recorded during investigation, clearly stated that she had voluntarily gone with the petitioner without informing her parents.

6. Learned counsel submits that respondent No.2's present affidavit, her personal appearance, her statement, and the fact that the parties have been married for several years all indicate that the substratum of the FIR has entirely eroded. Thus, it is prayed that the instant FIR and all the consequential proceedings emanating therefrom may be quashed.

7. Respondent No.2 appears in person. She and the petitioner have been



identified by the Investigating Officer as well as counsel for the petitioner. In response to specific Court queries, she categorically states that she is living happily with the petitioner as his lawfully wedded wife, she has no complaint or grievance against him, she does not wish to pursue the FIR or the criminal proceedings, she wants to focus on her married life and future.

8. Heard. Issue notice.

9. Learned APP for the State, appearing on advance notice, accepts notice and submits that in view of the present factual position, and given that respondent No.2, the person at the centre of the allegations, has no objection to quashing, the State does not oppose the petition.

10. Heard the parties and perused the record.

11. The FIR was lodged by respondent No.3 alleging kidnapping of his minor daughter. However, it is brought to the notice of this Court that respondent No.2 voluntarily travelled with the petitioner and maintained contact with her family thereafter. The Section 164 CrPC statement of respondent no. 2 also confirms this.

12. After three years of the FIR, the petitioner and respondent No.2 solemnised marriage (as per Annexure-P/3) and have since been residing together peacefully. They now have two children. Respondent No.2 appears before this Court, categorically supports the petition, and expressly states that she has no grievance against the petitioner and wishes the matter to end.

13. Her affidavit stating her no objection to the present FIR having been quashed is also on record, and she has made her statement before this Court that she has not been coerced or pressurised.

14. Continuation of criminal proceedings in such circumstances would serve no useful purpose and would amount to an abuse of the process of law.



The Hon'ble Supreme Court has consistently held that where the parties have settled their disputes, especially in cases arising out of personal relationships, and where there is no element of heinous crime or societal impact, the High Court may exercise inherent jurisdiction to secure the ends of justice.

15. In the present case, the offence alleged is not of such a nature that would preclude quashing when the alleged victim has completely retracted any allegation and the parties have built a stable family life over the past several years.

16. The affidavit of respondent No.2, her personal appearance, and her unequivocal statement before the Court demonstrate that the continuation of proceedings will only cause unnecessary hardship and disturb the settled life of the parties. In these circumstances, and in view of the voluntary, clear and repeated statements of respondent No.2, this Court is satisfied that no fruitful purpose will be served by continuing the criminal proceedings.

17. Therefore, in view of the aforesaid facts and circumstances and the law laid down by the Hon'ble Supreme Court, the present petition is allowed. Accordingly, FIR No. 179/2013 dated 12.05.2013, registered at P.S. Vasant Kunj South, under Section 363 of the Indian Penal Code, 1860, and all consequential proceedings emanating therefrom, including order dated 24.03.2025, stand quashed *qua* the present petitioner.

18. The petition alongwith pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

NOVEMBER 20, 2025
gs/ryp