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

+ **CRL.M.C. 241/2026**

YOGESH

.....Petitioner

Through: Mr. Vibhas Kumar Jha, Mr. HP
Sharma, Ms. Samridhi Jain, Ms.
Manju Pandey and Mr. Rajat Pandey,
Advocates.

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Mr. Rajkumar, APP for State with SI
Pooja, PS: Bhalswa Dairy.
Counsel (appearance not given) for R-
2 and R-2 in person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

13.01.2026

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1. By way of the present petition, the petitioner seeks quashing of the FIR bearing No. 404/2017, registered at Police Station Balaswa Dairy, Delhi, for the commission of offences punishable under Sections 363/376 of the Indian Penal Code, 1860 (hereafter 'IPC') and Section 4 of the Protection of Children from Sexual Offences Act, 2012 (hereafter 'POCSO Act') and all consequential proceedings emanating therefrom on the basis of settlement arrived at between the parties.
2. Issue notice. The learned APP accepts notice on behalf of the State.
3. The petitioner and respondent no. 2 are present before this Court and have been identified by their counsel and Investigating Officer (IO)



concerned, Police Station, Balaswa Dairy, Delhi.

4. Brief facts of the case are that the present FIR was lodged by the father of the alleged victim on 02.07.2017 as a missing complaint under Section 363 IPC, alleging that his daughter had gone missing from her parental home in Delhi. It is stated that in fact, the alleged victim had voluntarily left her parental house on 02.07.2017 and eloped with the petitioner, with whom she was in a consensual relationship. The petitioner and the alleged victim solemnized their marriage on the same day at a temple in Muzaffarnagar, Uttar Pradesh. The petitioner and the alleged victim have been living together as husband and wife since 02.07.2017 and have been blessed with two children born out of the wedlock, ie., a male child on 19.08.2018 and a female child on 09.10.2020. It is stated that the victim has never made any allegation of force, coercion, inducement, or sexual assault against the petitioner at any stage, including in her statement recorded under Section 164 Cr.P.C. It is stated that with intervention of the family and friends, the parties have now amicably settled their dispute and are living with each other as husband and wife.

5. On a query made by this Court, respondent no. 2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated that they have been living together. Therefore, she has no objection if the present FIR is quashed.

6. In view of the above, that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice



to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

7. Accordingly, FIR bearing No. 404/2017, registered at Police Station Balaswa Dairy, Delhi, for the commission of offences punishable under Sections 363/376 of IPC and Section 4 of POCSO Act and all consequential proceedings emanating therefrom are quashed.

8. The petition stands disposed of.

9. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 13, 2026/vc/gj