



2026:DHC:345



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 15.01.2026

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CRL.M.C. 329/2026, CRL.M.A. 1246/2026, 1248/2026 & 1247/2026

AMIT SAXENA

.....Petitioner

Through: Mr. Azad Khokher, Advocate with
petitioner in person

versus

STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with W/SI Surbhi Aggarwal, PS
Punjabi Bagh
Mr. Sanser Pal Singh and Ms. Kritika
Tyagi, Advocate for R2&3 with
respondents in person**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The petitioner seeks quashing of case FIR No. 1001/2021 of PS Punjabi Bagh for offence under Section 363/376 BNS & Section 4 POCSO Act on the ground that complainant *de facto* (respondent no.2) has compromised the disputes with the petitioner.

2. Learned APP for State accepts notice and submits that the State has no serious objection in view of peculiar facts of this case.

Crl. M.C. 329/2026

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3. Respondents no. 2 and 3 who appear on advance intimation accept notice. They are identified by IO/SI Surbhi Aggarwal and are accompanied with their counsel.

4. I have spoken in Hindi with the petitioner and respondents no. 2 and 3. They have appeared with infant child of petitioner and respondent no.2. Respondent no. 3 is father of respondent no. 2. It is stated by all of them that petitioner and respondent no. 2 were involved in a love affair and even got married and now they have an infant child. It appears that respondent no. 2 was aged more than 17 years at the time of engaging herself in sexual relations with the petitioner and was matured enough to take decisions. Now, parents of both of them have consented for their marital life. Keeping in mind the welfare of not just the parties but also the welfare of the infant born from wedlock of petitioner and respondent no.2, it would be in the interest of justice, not to push them through full dress trial.

5. Therefore, the petition is allowed and FIR No. 1001/2021 of PS Punjabi Bagh for offence under Section 363/376 BNS & Section 4 POCSO Act as well as the proceedings arising out of the same are quashed. Pending applications stand disposed of.

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GIRISH KATHPALIA
(JUDGE)

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