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

% ***Date of Decision: 13th March, 2026***

+ CRL.M.C. 624/2026 & CRL.M.A. 2475/2026
XXXXXXXXXX & ORS.

.....Petitioners

Through: Mr. Satyendra Pratap Sharma,
Advocate.

Petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for the State
with SI Urvashi.

Mr. Vikas Sharma, Advocate for R-2.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein seek quashing of FIR No. 0076/2025 dated 22.02.2025, registered at Police Station Sonia Vihar, North East (Delhi), for commission of offences under Sections 74/115(2) of IPC and Section 10 of *Protection of Children from Sexual Offence Act, 2012* (POCSO), along with all consequential proceedings emanating therefrom, on the basis of compromise arrived at between the parties.

2. The FIR in question was registered on the basis of report lodged by respondent No.2 with the police station. She claimed herself to be 18 years old and stated that for last several days, her real brother (petitioner No.1) was keeping evil eye upon her and that he had touched her inappropriately. She also claimed that when she screamed on one such occasion, his sister-in-law (petitioner No.2/wife of petitioner No.1) came there but instead of



listening to her, they both rather beat her up. It was in the abovesaid backdrop that she had prayed for initiation of legal action against them.

3. Charge-sheet has already been filed, *albeit*, charges have yet not been ascertained. All the three petitioners were sent up to face trial, after being bound down and without there being any formal arrest.

4. Petitioner No.3 (mother of Respondent No.2) was also charge-sheeted for commission of offence under Section 21 of POCSO Act as she failed to report about such incident. However, it is apprised that when the matter was taken up by the learned Trial Court on 25.02.2026, it has discharged her and now the abovesaid FIR is only against petitioner No.1, a Railway employee, and his wife.

5. Respondent No.2 is present and is duly identified by IO and her counsel. Her mother is also present.

6. In order to understand and comprehend the entire factual backdrop and the sensitivity and delicate nature of the matter, the Court deemed it appropriate to have interaction with the parties in chamber.

7. Respondent No.2 stated her date of birth is 11.02.2007 and apprised that she was, presently, taking examination of Class XII. During detailed separate interaction with her, she revealed that there was dispute between her mother and her brother (petitioner No.1) on account of property where they reside and being fed up with daily quarrels, she went to police station alongwith her mother to report about him. However, based on some mistaken-advice, she falsely claimed that she had been inappropriately touched and assaulted by her brother. The same story was also reiterated by her before the learned Magistrate, at a later stage. She acknowledged and admitted that, factually speaking, nothing of that kind had ever happened,



albeit, there was, mere, property dispute between her mother and brother. She feels repentant and remorseful for her such naïve and immature action and submits that her aforesaid complaint, which is based on false and artificial story, may not be pursued any further. She stated that she has learnt a lesson of life and would not indulge in any such thing in future.

8. The FIR in question was lodged on 22.02.2025 and, therefore, when she had reported the incident, she had already turned major. Fact, however, remains that in her such report, she also referred about one incident prior in time and, since she had not attained the age of majority at the time of such prior incident, case under *Protection of Children from Sexual Offence Act*, 2012 was also registered.

9. The Court also, separately, interacted with her mother and she also echoed the same version and submitted that it was on account of mistaken advice that a false complaint was made.

10. When asked about previous quarrels between the parties, I.O. informed that there existed a property dispute between them, and on various previous occasions, multiple complaints from both the sides had been received in the police station and all such complaints were in relation to property.

11. It will be also worthwhile to mention here that the parties have also entered into settlement and have filed a comprehensive *Memorandum of Understanding* (MoU) dated 18.12.2025 in which, *inter alia*, it is mentioned that with the intervention of respectable persons of the society, *Biradari*, common friends and relatives, the parties have settled all their disputes amicably without any force, coercion and undue influence from any corner whatsoever and have decided to live their lives peacefully, in future. It has



also been mentioned by them that they have agreed to withdraw, unconditionally, all their allegations levelled against each other and petitioner No.3 (mother of prosecutrix) has also agreed to withdraw one complaint which she had filed under Section 12 of *Protection of Women from Domestic Violence Act, 2005* (PWDV Act) and respondent No.2 has also mentioned therein to cooperate for quashing of the instant FIR.

12. Importantly, the abovesaid settlement is also with respect to the property in question.

13. Learned counsel for petitioners submits that petitioner no.1 and his wife (petitioner no.2) have also forgiven respondent No.2 and no real purpose would be served by continuing with the abovesaid criminal case as the FIR in question is apparently, and as admitted by respondent No.2, based on false facts and since there was never any sexual assault, the case needs to be closed at the very threshold, particularly to ensure survival of pious bond of sister and brother between the two. He also relies upon *Himanshu Goel Vs State (Govt. of NCT of Delhi) and Another*: 2022 SCC Online Delhi 2315, *Ranjeet Gautam and Another v. State of U.P. Thru. Secy. Home Lko and Others* 2024: AHC-LKO:77388-DB and *Ranjeet Kumar v. State of H.P. and Others* 2023 SCC OnLine HP 1625.

14. Evidently, the action of respondent No.2 is absolutely unfair and inexcusable and being of impressionable age, she, perhaps, does not even comprehend the serious consequences of her such thoughtless and reckless act. Instead of playing with her friends at such a school-going age, she, for totally inexplicable reasons, attempted to play with the law. Little does she realize that the Courts do not have any magic-wand and, generally speaking, a great significance is given to statement of any such victim and at times, the



real story may not get surfaced, despite best of the cross-examination. Therefore, she treaded on a very dangerous territory and attempted to misuse the legal provisions, even if it was, as alleged, under the mistaken-advice of some unknown person. If the truth was exposed after full-fledged trial, she would have, surely and certainly, invited some serious adverse action for herself.

15. In *Madhukar & Anr. vs. State of Maharashtra* 2025 SCC OnLine SC 1415, Hon'ble Apex Court observed that though the offence under Section 376 IPC was undoubtedly of a grave and heinous nature and ordinarily, quashing of proceedings involving such offences on the ground of is discouraged and should not be permitted lightly, it was also supplemented that the power of the Court under Section 482 CrPC to secure the ends of justice was not constrained by a rigid formula and must be exercised with reference to the facts of each case.

16. In *Mohammad Parwej vs. State (NCT of Delhi)* 2026: DHC:1776, this Court, while quashing a case of sexual assault, observed that though quashing cannot be sought on mere settlement but at the same time, the justice delivery system cannot turn blind eye to the ground realities and has to respond appropriately after careful consideration of all the attendant circumstances.

17. Therefore, in view of above divulging of true facts, *albeit*, belated one, continuing with the criminal proceedings would not only be an exercise in futility but would also rekindle the bitter feelings amongst the family members. Thus, enduring with present criminal proceedings, where there is little or no chance of the matter resulting in conviction, would serve no constructive purpose, especially, when the complaint is based on false and



fictitious facts and also when the matter has been amicably settled. In any case, even respondent No.2, a girl who has already attained age of discretion, does not wish to pursue said FIR.

18. In view thereof, it is deemed appropriate to quash the instant FIR in exercise of the inherent powers vested in this Court under Section 528 of the BNSS.

19. Consequently, to secure the ends of justice, FIR No. 0076/2025 dated 22.02.2025, registered at Police Station Sonia Vihar, North East (Delhi), for commission of offences under Sections 74/115(2) of IPC and Section 10 of *Protection of Children from Sexual Offence Act, 2012* (POCSO), along with all consequential proceedings emanating therefrom, is hereby, quashed.

20. The petition stands disposed of in aforesaid terms.

21. Pending application also stands disposed of in aforesaid terms.

22. There is no question of imposition of any cost upon petitioner No.2 and his wife as they, in the present context, seem to be the actual victims. However, since they have forgiven respondent No.2, it's appropriate to put the matter to rest.

23. Respondent no.2 has been counselled and is being let off, primarily because of her very young age.

24. Before parting, it needs to be mentioned that the names of the petitioners have been masked to ensure that the identity of the respondent no.2 does not get revealed. The masking be done by the Registry in the cause-list and in the previous order, too.

(MANOJ JAIN)
JUDGE

MARCH 13, 2026/ss/sa