



2026:DHC:960



\$~53

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

%

Date of Decision: 05.02.2026+ **CRL.M.C. 1013/2026****PRASHANT KUMAR JHA**

.....Petitioner

Through: Mr. Yogesh Sharma, Yugant Parihar
and Mr. Yogeshwar Singh, Advocates

versus

STATE GOVT. OF NCT OF DELHI AND ANR.RespondentsThrough: Mr. Hemant Mehla, APP for the State
with SI Arti, PS Vasant Kunj North
Mr. Yuvraj Nandal, Advocate for R-2**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. Petitioner seeks quashing of case FIR No. 623/2017 of Police Station Vasant Kunj North for offence under Section 354D IPC on the ground that the victim (*respondent no. 2*), who is daughter of the complainant *de facto* has compromised the disputes with the petitioner.

2. Broadly speaking, according to the FIR, lodged on the complaint of father of the respondent no. 2, the allegation against the petitioner is as follows. On 22.10.2017, when respondent no. 2 was leaving her house, a

*CRL. M.C. 1013/2026**Page 1 of 4 pages***GIRISH
KATHPALIA**Digitally signed by GIRISH KATHPALIA
DN: cn=GIRISH KATHPALIA, o=HIGH COURT OF DELHI,
2.5.4.20=84014889827477205898444045568473926
0483544597626424, ou=HIGH COURT OF DELHI, c=IN,
7047438, postalCode=110003, st=DN,
serialNumber=33867964314450765115709964880
ch22ae60402c4879609801426A, cn=GIRISH KATHPALIA
Date: 2026.02.05 17:47:09 +05'00'

Signature Not Verified

Digitally Signed
By: NEETU N NAIR
Signing Date: 05.02.2026
17:55:24



2026:DHC:960



person asked her for direction to the Sector-76, in response whereof, she told him to ask the guard. Thereafter, respondent no. 2 along with her sister sat in her car and started driving. When their car stopped at the traffic signal, the said person coming on his motorcycle parked the same and after opening the rear left door of the car entered the car and sat inside. Immediately, the respondent no. 2 came out of the car and alerted the nearby tea stall owner and a taxi stand who apprehended the said man. The local police, on being informed, reached and arrested the said man, who is petitioner before this Court. The entire incident was captured on CCTV camera.

3. Learned APP accepts notice and submits that State has no objection to this petition but some deterrent order be passed to discourage such acts of lawlessness.

4. Respondent no. 2, daughter of the complainant *de facto*, identified by IO/SI Arti also has appeared and accepts notice.

5. I have spoken with the petitioner as well as respondent no. 2. The petitioner does not dispute the incident but submits that he has no reason to explain as to why he behaved in such manner. On the other hand, respondent no. 2 submits that she does not wish to pursue the prosecution of petitioner because she has already appeared twice before the trial court for recording of her testimony, but the same could not be done, and being mother of two young children, she is unable to appear again before the trial court, so she has no objection if this petition is allowed.



2026:DHC:960



6. Ordinarily, in such cases, parties are referred to the Joint Registrar by this Court for recording their statements. But in this case, looking at the anguish of the victim, calling her again for statement before the Joint Registrar would add to her suffering. It is for this reason that I spoke with both sides at length.

7. I find substance in the submission of learned APP that the kind of high-handedness shown by the petitioner by opening door of car in which two girls were travelling and then sitting inside the car without their consent for no reason, has to be dealt with sternly; one has to visualize the scare that would have been caused to the girls. There is also no reason explained as to why the petitioner left his motorcycle and entered car of the victim. The only possible reason that comes to mind is apparent road rage and blatant disregard for law.

8. Further, as mentioned above, in such situation, continuation of further trial would be further victimization of respondent no. 2, who already had to come twice to the trial court and now is not willing to come again as she has two young children to look after.

9. I am of the view that it would be in the interest of justice not to compel the respondent no. 2 to further pursue prosecution of petitioner. But at the same time, this matter raises serious concern about safety of ladies even during broad daylight, that too, while travelling in their own car,

CRL. M.C. 1013/2026

Page 3 of 4 pages

Signature Not Verified
Digitally Signed
By: NEETU N NAIR
Signing Date: 05.02.2026
17:55:24

GIRISH
KATHPALIA

Digitally signed by GIRISH KATHPALIA
DN: cn=GIRISH KATHPALIA, o=HIGH COURT OF DELHI,
2.5.4.20-8401d3889b27a77b269ff9a4a45569af992c0f
1a8316431979536a2a, ou=HIGH COURT OF DELHI, c=IN
7047818, postalCode=110003, st=Delhi,
serialNumber=431867964311a45c705d15570995b4e88c,
bi2aee0602c487965f8921a266, cn=GIRISH KATHPALIA
Date: 2026.02.05 17:47:45 +0800



2026:DHC:960



considered to be a safer mode of travel as compared to public conveyance. It is certainly not acceptable for anyone to enter into such private and secured space of any lady without her consent. The prosecution of petitioner needs to be curtailed not on account of any positive factor in his favour, but on account of negative factors against the respondent no. 2, who already suffered during the alleged incident and despite repeated visits, she is not certain of how many more such court visits she would have to make.

10. Therefore, the petition is allowed subject to the petitioner paying cost of Rs.20,000/- to the victim through Investigating Officer within one week, the FIR No. 623/2017 of Police Station Vasant Kunj North for offence under Section 354D IPC as well as proceedings arising out of the same are quashed. The Investigating Officer shall file specific report before the trial court as to whether the cost has been paid to the victim or not. In case the cost is not paid within one week, trial court proceedings shall continue, in which the victim shall be examined only through videoconferencing from her residence. For compliance, copy of this order be sent to the learned trial court.

**GIRISH
KATHPALIA**

Digitally signed by GIRISH KATHPALIA
DN: c=IN, o=HIGH COURT OF DELHI,
2.5.4.20=8401dd889b27a77b2f65ffffe4afe
c45569af3962c6fb4835d435f97626cacca,
ou=HIGH COURT OF DELHI,CID - 7047638,
postalCode=110003, st=Delhi,
serialNumber=d3e86796451ec45c07b5d1
5570996b40f80cbd2eee60402c487965ff80
1e26fa, cn=GIRISH KATHPALIA
Date: 2026.02.05 17:48:01 -08'00'

**GIRISH KATHPALIA
(JUDGE)**

FEBRUARY 05, 2026

'rs'

CRL. M.C. 1013/2026

Page 4 of 4 pages

Signature Not Verified

Digitally Signed
By: NEETU N NAIR
Signing Date: 05.02.2026
17:55:24