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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2596/2026**
JAHANGIR AHMAD & ANR.Petitioners
Through: **Mr. Karnail Singh, Advocate.**

versus

STATE OF NCT OF DELHI & ORS.Respondents
Through: **Ms. Kiran Bairwa, APP for the State.**
SI Juli Goswami, P.S.: Jamia Nagar.
Mr. Jaiveer and Mr. Irshad,
Advocates for R-2 and R-3.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **07.04.2026**

CRL.M.A. 10563/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.A. 10564/2026 (condonation of delay in re-filing)

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'), the petitioners seek condonation of about 30 days' delay in re-filing the present petition.

2. For the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.
3. The application is allowed and disposed-of.

CRL.M.C. 2596/2026

4. By way of the present petition filed under section 528 of the BNSS, the petitioners and complainants/respondents Nos. 2 and 3 seek



quashing of case FIR No. 445/2024 dated 27.11.2024 registered under section 115 of the Bharatiya Nyaya Sanhita, 2023 ('BNS') and section 10 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO Act') at P.S.: Jamia Nagar, South-East District, Delhi.

5. At the outset upon being queried, Mr. Karnail Singh, learned counsel appearing for the petitioners submits, that the FIR was registered only at the instance of the mother of an 11-year-old boy and the memo of parties to that extent is erroneous. It is explained that the purpose was to make both the parents of the minor victim as the natural guardians to represent him.
6. In view of what has been explained, respondent No. 3 is deleted from the array of party respondents. Accordingly respondent No. 2 is the 11-year-old victim (son) represented by his mother, his natural guardian.
7. Petitioner No. 1 is the brother of the guardian's husband. Petitioner No. 2 is the wife of petitioner No. 1. Parties are close relatives. They reside in the same household and have a common kitchen.
8. Since the allegations in the FIR includes an allegation under section 10 of the POCSO Act, this court has examined the matter closely.
9. Mr. Singh has drawn attention to the statement of the minor victim recorded on 28.11.2024 under section 183 of the BNSS in which, it is pointed-out that no sexual act is alleged against the petitioners; and in fact, the victim has clearly disclaimed that any wrongdoing was committed upon him by petitioner No. 1. These submissions appear to be borne-out from the statement of the victim recorded under section 183 of the BNSS.



10. Respondent No. 2 is represented by his mother. Respondent No. 2 is stated to be attending school.
11. Respondent No. 2's mother confirms, that the FIR came to be registered as a consequence of misunderstanding and over-reaction; and that the victim does not wish to pursue any proceedings in the FIR any further.
12. The petition is premised on Memorandum of Understanding dated 08.01.2026, whereby the petitioners and respondent No. 2 have resolved the matter amicably.
13. The petition is also supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their IDs.
14. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
15. The court has interacted with respondent No. 2's mother, as also with petitioners, who have confirmed that they have now resolved the matter and Memorandum of Understanding dated 08.01.2026 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
16. Ms. Kiran Bairwa, learned APP confirms that the State has no objection to the subject FIR being quashed.
17. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be



quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

18. Accordingly, case FIR No. 445/2024 dated 27.11.2024 registered under section 115 of the BNS and section 10 of the POCSO Act at P.S.: Jamia Nagar, South-East District, Delhi is quashed. All proceedings arising therefrom also stand closed.
19. Petition stands disposed-of.
20. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 7, 2026/hb