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

+ CRL.M.C. 3485/2026, CRL.M.A. 14141/2026

SUNIL KUMAR

.....Petitioner

Through: Mr. Danish Khan, Proxy counsel
alongwith petitioner in person

versus

THE STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Satish Kumar, APP for the
State
Mr. Rajender Pal Singh, Adv. for
R-2 & 3 alongwith R-2 & 3 in
person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

25.05.2026

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1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks quashing of FIR No. 402/2022 dated 22.04.2022 registered at PS.: Kalyan Puri, Delhi under *Sections 354/506* of the Indian Penal Code, 1860 (*IPC*) and *Section 10* of the Protection of Children from Sexual Offences Act, 2012 (*POCSO*) and all proceedings emanating therefrom, in view of the Settlement Deed dated 21.04.2026 [*Annexure P2*] arrived between the petitioner and the respondent nos.2 and 3 which is accompanied by their respective proofs of identity.

2. Issue notice. Learned APP for the State accepts notice. He, at the outset, objects to the quashing of the present FIR considering the grave and heinous nature of the offenses involved.



3. Respondent nos.2 and 3, present in Court, also accept notice and they affirm the terms of the aforesaid Settlement Deed. Respondent no.2 submit that she has no objection to the quashing of the aforesaid FIR as the same was lodged due to misunderstanding and undue influence and no such incident ever occurred as alleged in the present FIR.

4. The petitioner and the respondent nos.2 and 3, present in Court, as well as their credentials, as on record, have been identified by the IO.

5. Upon consideration of the existing facts and the overall events unfolding in their entirety, even though this Court is mindful that the present FIR No. 402/2022 dated 22.04.2022 registered at PS.: Kalyan Puri, Delhi is lodged under *Sections 354/506* of the IPC and *Section 10* of the POCSO Act, however, this Court is inclined to quash the present FIR in exercise of its inherent powers under *Section 528* of the BNSS, particularly, since the respondent no.2 is willing to bring closure to the present proceedings and has given her affidavit to the aforesaid effect as also since she herself has made a statement that the present FIR was lodged due to undue pressure and no such incident ever happened. Even otherwise, the respondent no.2 is a young girl who has a long future ahead of herself.

6. Respondent no.2 does not wish to pursue the present FIR as the same was lodged as a consequence of undue influence and she has filed an affidavit to that effect alongwith the present petition. As such, following the law laid down by the Hon'ble Supreme Court in ***Jitendra Raghuwanshi & Ors. vs. Babita Raguvanshi & Anr.***: (2013) 4 SCC 58, ***Gian Singh vs. State of Punjab & Anr.***: (2012) 10 SCC 303 and ***Narinder Singh & Ors. vs. State of Punjab & Anr.***: (2014) 6 SCC 466, since there



is nothing left to corroborate and prove the case of the prosecution, continuation of the aforesaid FIR against the petitioner will be an exercise in futility.

7. Accordingly, the present petition is allowed and FIR No. 402/2022 dated 22.04.2022 registered at PS.: Kalyan Puri, Delhi under *Sections 354/506* of the IPC and *Section 10* of the POCSO and all proceedings emanating therefrom are hereby quashed.

8. As such, the present petition, alongwith the pending application, is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

MAY 25, 2026/rr