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

\# **CNR No. DLHC010456502026**

\+ CRL.M.C. 7117/2026

XXX & ANR. .....Petitioners

Through: Mr. Haneef Mohammad, Mr. Anil Vyas and Mr. Dinesh Chander, Advocates

versus

THE STATE NCT OF DELHI & ANR. .....Respondents

Through: Mr. Mukesh Kumar, APP for State
SI Monika, P.S. Mandawali

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 07.10.2026

1. The present petition has been filed seeking quashing of FIR bearing No. 464/2025, under Sections 137(2)/64(1)/115(2)/351(2) of the Bharatiya Nyaya Sanhita, 2023 ("BNS") and Sections 5J(II)/6/21 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO") registered on 19th November 2025 at P.S. Mandawali Fazalpur.

2. The petitioners no.1 and 2 are wife and husband, respectively. The respondent no.2 is the complainant/mother of the petitioner no.1. After marriage, the petitioners have been residing in Delhi with the family of petitioner no.2.

3. It is stated that the petitioner no.1 had left the house of her parents and, pursuant to a quarrel between the petitioners, the respondent no.2 filed

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a complaint on the basis of which the present FIR has been registered.

4. It is stated that the petitioners no.1 and 2 have got married and the petitioner no.1 is pregnant currently. The petitioner no.2 is currently in judicial custody. During investigation, the statement of the petitioner no.1 under Section 183 of the BNSS was recorded, wherein she expressed her desire to reside with petitioner no.2.

5. Notice in the present petition was issued on 23rd September, 2026.

6. Status report has been filed on behalf of the respondent/State. In terms of the status report, the investigation is complete and the chargesheet has been filed before the concerned Court on 24th March, 2026. On 2nd July, 2026, the family members of the petitioner no.2 have been discharged, and charges against the petitioner no.2 have been framed.

7. As on date, the petitioner no.1 has attained the age of majority. She is present in Court and submits that she wants to continue living with the petitioner no.2 as his wife.

8. The respondent no.2, mother of the victim, is present in Court, has been identified by the Investigating Officer ("I.O.") and submits that she has no objection to quashing of the present FIR.

9. Considering that it is a dispute between family members and the petitioners no.1 and 2 have decided to reside together as husband and wife, it would be in the interest of justice to quash the present FIR.

10. Consequently, the FIR No.464/2025 registered at P.S. Mandawali Fazalpur and the proceedings pursuant thereto are quashed.

11. Accordingly, in view of the FIR being quashed, the petitioner no.2 shall be forthwith released from custody unless he is wanted in any other case.

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12. Copy of this order be sent to the Jail Superintendent for information and necessary compliance.

13. The petition stands disposed of in terms of the above.

AMIT BANSAL, J

OCTOBER 7, 2026
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