



\$~41

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

+ **CRL.M.C. 133/2026**

BHAG CHAND @ BHAG CHANDRA

.....Petitioner

Through: Ms. Ruchika Gupta, Mr. Hemant Bhardwaj and Mr. Parvej Alam, Advocates along with petitioner in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ORS.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for State.

Counsel (appearance not given) for R-2 & 3 and R-2 & 3 in person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **09.01.2026**

CRL.M.A. 490/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 133/2026

3. By way of the present petition, the petitioner seeks quashing of the FIR bearing No. 258/2019, registered at Police Station Budh Vihar, Delhi, for the commission of offences punishable under Sections 363/366/376 of the Indian Penal Code, 1860 (hereafter 'IPC') and Section 6 of Protection of Children from Sexual Offences Act, 2012 (hereafter 'POCSO Act') and all



consequential proceedings emanating therefrom on the basis of settlement arrive at between the parties.

4. Issue notice. The learned APP accepts notice on behalf of the State.
5. All the petitioners and respondent nos. 2 & 3 are present before this Court and have been identified by their counsel and Investigating Officer (IO) concerned, Police Station, Budh Vihar, Delhi.
6. Brief facts of the case are that the respondent No. 3 left her house for school at about 06:30 AM on 01.10.2019 and thereafter went missing. Thereafter, missing complaint was filed by respondent no. 2. During the course of investigation, it was revealed that on 05.04.2020, the prosecutrix/respondent No. 3 returned to Makrega Gaon, Kanpur along with the petitioner and established physical relations with him. At the relevant time, both the prosecutrix and the petitioner were approximately 16 years of age. On 02.11.2020, a chargesheet was filed against the petitioner under Sections 363/366/376 IPC read with Section 6 of the POCSO Act. During the pendency of trial, it transpired that the prosecutrix/respondent No. 3 solemnized marriage with the petitioner on 09.04.2021. Out of the said wedlock, two children have been born.
7. During the trial proceedings, respondent no. 2 (mother of the prosecutrix) came to know that the prosecutrix had married the petitioner of her own free will and consent and was residing happily with him. Consequently, the parties have amicably settled their disputes *vide* Memorandum of Understanding (MoU) dated 01.12.2025 and are living together peacefully.
8. On a query made by this Court, respondent no. 2 & 3 who have been identified by the IO, have categorically stated that they have entered into



compromise out of their own free will and without any pressure, coercion or threat. Therefore, they have no objection if the present FIR is quashed.

9. In view of the above, that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing No. 258/2019, registered at Police Station Budh Vihar, Delhi, for the commission of offences punishable under Sections 363/366/376 of IPC and Section 6 of POCSO Act and all consequential proceedings emanating therefrom are quashed.

11. The petition stands disposed of.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 09, 2026/vc/r