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

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Date of Decision: 03.07.2025+ **CRL.M.C. 3315/2025****SHAHBAZ ALAM KHAN**

.....Petitioner

Through: Mr. Shailesh Kumar Sinha and Mr.
Ravi Kumar, Advocate.

versus

STATE OF NCT OF DELH & ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Pradeep Malik, PS Jamia
Nagar.
Mr. Rajeev Ranjan, Advocate for R-2
with respondent no. 2 and her parents
in person.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The petitioner has sought quashing of FIR No. 426/2018 of PS Jamia Nagar for the offence under Section 354/354D/452/506 IPC read with Section 8/12 of the POCSO Act. Learned APP for State and respondent no.2 in person accept notice. The quashing is sought on the basis of settlement between petitioner and prosecutrix (*respondent no. 2*), who are cousins.

2. Learned counsel for petitioner contends that the offence under



POCSO Act is not even made out from the FIR. This contention is not challenged by learned APP. There is no serious objection from State in view of the peculiar circumstances of this case.

3. The Investigating Officer has identified petitioner and respondent no.2 in Court.

4. I have spoken with petitioner and respondent no. 2 as well as her parents in Hindi. It is stated by them that since petitioner and respondent no. 2 are cousins, under mistaken social beliefs, the petitioner remained under the impression that he would get married with respondent no. 2. It is further submitted by them that petitioner is married and has two daughters and is living in his native village in Bihar. Broadly speaking, the allegation against the petitioner is that he threatened to forcibly put a ring on finger of respondent no. 2 and in the process pushed her mother, but was stopped by her uncle. Petitioner undertakes before the Court not to repeat his misconduct.

5. Respondent no. 2 and her parents submit that they do not wish to pursue prosecution of petitioner as respondent no. 2 is of marriageable age though studying presently.

6. Detailed statements of parties were recorded by the concerned Joint Registrar.



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7. Having spoken with parties at length, I am satisfied that it would be in the interest of justice not to push them through trial.

8. Therefore, the petition is allowed and accordingly, FIR No. 426/2018 of PS Jamia Nagar for the offence under Section 354/354D/452/506 IPC read with Section 8/12 of the POCSO Act and proceedings arising out of the same are quashed.

**GIRISH KATHPALIA
(JUDGE)**

JULY 3, 2025/as