



2026:DHC:6283



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

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Date of Decision: 04.08.2026

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CNR No. DLHC010352122026

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CRL.M.C. 5612/2026 & CRL.M.A. 23409/2026**AMIT BHASIN & ANR.****.....Petitioners**

Through: Mr. Madhura Mohan, Mr. Devashish Chauhan, Mr. Nitish Dham and Ms. Kanishka Pandey, Advocates

versus

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

Through: Mr. Sanjeev Sabharwal, APP for State with SI Dhananjay Gupta

CORAM: JUSTICE GIRISH KATHPALIA**J U D G M E N T (ORAL)**

1. Petitioners seek quashing of case FIR No. 151/2015 of PS Kirti Nagar for offence under Section 323/374 IPC read with Section 23 Juvenile Justice Act and Section 3/14 of Child Labour (Prohibition & Regulation) Act on the ground that the victim child (*respondent no.2*) has compromised the disputes with the petitioners.

2. Admittedly, charges have already been framed on above offences and



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order of charge has not been challenged. Further, even trial has commenced and testimony of the victim child has already been recorded by the trial court as PW1.

3. The charges framed against the petitioner are for child labour, which is a serious offence of social consequences. Allowing settlements in such cases and consequential throttling of prosecution can be anything but in the interest of justice.

4. Learned counsel for petitioner places reliance on orders passed by two co-ordinate benches of this Court in the cases titled *Ms. Anam Raheel Younus vs State of Delhi*, CrI. M.C. 3424/2022 and *Awleen Kaur vs State*, W.P.(CrI.) 3828/2018. But in neither of the said judgments the court had an occasion to consider if offences of social ramifications also can be quashed, invoking inherent powers, merely because at some subsequent stage parties settled the disputes. Learned counsel for petitioner also contends that the present respondent no. 2 was not minor in age at the time of the alleged offence. But admittedly, charges have been framed and the order framing charge has not been challenged by the petitioners. That being so, this Court cannot conduct a mini-trial and hold that at the time of the alleged offence the respondent no. 2 was not minor in age.

5. Besides, as mentioned above, admittedly trial has already commenced and the victim child already stands examined as PW1 before the trial court. It is trite that quashing of a trial is an exception to the rule of continuation of



prosecution. Reference in that regard can be drawn from a judgment of co-ordinate bench of this Court in case titled ***Sachin Sharma vs State***, 2024:DHC:8932, which case also involved the allegations of child exploitation and the co-ordinate bench of this court dismissed the similar quashing petition.

6. Also in the case titled ***Narinder Singh vs State of Punjab***, (2014) 6 SCC 466, the Hon'ble Supreme Court analyzed the scope of inherent powers of the High Court and held as follows. While dealing with powers under Section 482 of the Code, timings of settlement play a crucial role, in the sense that those cases where the settlement is arrived at immediately after the alleged commission of the offence and matter is still under investigation the High Court may be liberal in accepting the settlement to quash the criminal proceedings. Likewise, where charge is framed and evidence is yet to commence, "*the High Court can show benevolence in exercising its powers favourably*", but where prosecution evidence have commenced, normally the High Court should refrain from exercising inherent powers to quash the trial proceedings. For, in such situations, the trial court would be in a position to decide the case finally on merits. As mentioned above, in the present case, testimony of the child victim has already been recorded by the trial court as PW1.

7. The Hon'ble Supreme Court in the case of ***Narinder Singh*** (supra) also reiterated that the proceedings involving offences committed under special statutes and of a nature having a serious impact on society cannot be



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quashed invoking inherent powers, merely because parties have compromised. The wrong of child exploitation and child labour is one such category, which has far reaching social ramifications.

8. Keeping in mind that the offences with which the petitioners have been charged are not individual wrong but social wrong with wide ramifications and trial has already commenced by conclusion of testimony of the child victim as PW1, I do not find it a fit case to invoke inherent powers in order to quash the proceedings on the alleged compromise.

9. The petition is completely devoid of merits and is frivolous, so dismissed.

10. Accompanying application also stands disposed of.

**GIRISH KATHPALIA
(JUDGE)**

AUGUST 04, 2026*/as*