



2025:DHC:4139



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

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Date of Decision: 21.05.2025

+ **CRL.M.C. 3308/2025**

NITIN KUMAR AND ORS

.....Petitioners

Through: Mr. Hemant, Advocate.

versus

STATE (NCT OF DELHI) AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Renu Pawar, PS Gokulpuri.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. Petitioners seek quashing of FIR No. 158/2024 of PS Gokul Puri for offence under Section 498A/406/34 IPC. It is submitted by both sides that they have compromised the disputes. All petitioners and respondent no.2 have personally appeared in court, identified by their respective counsel and the IO/SI Renu Pawar.

2. On the face of it, the present case appears to be an innocuous petition to seek quashing of FIR related to matrimonial disputes. But a reading of the FIR shows that it is not so. In the FIR, the present respondent no.2 has



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levelled quite obnoxious allegations against the petitioners. It is alleged in the FIR that the petitioners, without her knowledge clicked her pictures and videos and thereafter threatened to circulate the same unless she would agree for oral and anal sex, so she succumbed to the pressures. The petitioner no.1 also threatened respondent no.2 that he would upload all those videos and photographs on social media. Further, according to respondent no.2, her father-in-law and both brothers-in-law molested her as and when they got a chance. The respondent no.2 in the FIR has also narrated the specific instances when she was molested by her brothers-in-law and even father-in-law.

3. In the course of hearing today, respondent no.2 submits that all the allegations mentioned in the FIR are truthful.

4. The truthfulness or falsity of those allegations is to be tested through trial. If those allegations are truthful, the petitioners deserve punishment in accordance with law but if those allegations are false, respondent no.2 also must face consequences in accordance with law through the strong arm of State. For, such allegations if false have wide ranging consequences across the society as the same create cynicism and give rise to a suspicion even against genuine victims.



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5. In the proceedings of the present kind, truthfulness or falsity of such allegations cannot be ascertained. That has to be done only through full dress trial. Therefore, I do not find it a fit case to invoke inherent powers in order to quash the impugned FIR and the consequent proceedings.

6. The petition is dismissed.

**GIRISH KATHPALIA
(JUDGE)**

MAY 21, 2025/DR