



\$~34

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

% **Date of Decision: 25th April, 2026**

+ **CRL.M.C. 1271/2026**

SUMAN KUMAR

.....Petitioner

Through: Mr. Vikas Kumar, Advocate with
petitioner in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Ajay Vikram Singh, APP with SI
Nitesh and SI Nikita with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. When the matter was taken up on 16.02.2026, the following facts were recorded:-

1. *"Petitioner seeks quashing of FIR No. 177/2023 dated 25.03.2023, registered at P.S. Sagarpur, Delhi, under Section 363 IPC, along with all consequential proceedings arising therefrom, on the basis of settlement arrived at between the parties.*
2. *The charge-sheet has been filed and subsequently, Sections 366/376 of IPC and Section 6 of Protection of Children from Sexual Offences, 2012 (POCSO) were added.*
3. *According to the petitioner, he was in love with the victim and they both left their respective homes in Delhi and went to Bihar where they solemnized marriage on 29.03.2023, as per Hindu rites and ceremonies at Maa Tara Mandir, Babu Tola, Banka, Bihar.*
4. *However, since the victim was found to be minor, she was*



brought back to Delhi by the police. Her statement under Section 164 Cr.P.C. was recorded in which she admitted that she had gone with the accused of her own free will and had even married him willingly.

- 5. However, keeping in mind the age of the victim, charge-sheet was filed before the learned Trial Court and charges have already been framed and even the statement of the victim has been recorded in which she has reiterated the abovesaid fact.*
- 6. Though, according to the prosecution, she is minor but during her evidence she claimed herself to be major.*
- 7. The important aspect is, however, that after attaining the age of discretion, even as per the date of birth claimed by the prosecution, they both entered into marriage and got their marriage registered before the Registrar of Marriage, Ghaziabad on 21.01.2025. So much so, the victim/prosecutrix has delivered a baby girl on 02.02.2026 from such wedlock.*
- 8. It is in abovesaid backdrop that the quashing of FIR in question is being sought.*
- 9. Learned APP for the State appears on advance notice. I.O.- SI Nitesh is also present.*
- 10. Let the factum of subsequent marriage dated 21.01.2025 and the fact that they had been blessed with a girl child be verified.*
- 11. Since the delivery is very recent, the victim is unable to appear physically. She would be at liberty to appear either physically or through video-conferencing.*
- 12. List on 03.03.2026.”*

2. In terms of the abovesaid directions, the status report has been filed today and as per the status report, the marriage certificate has been verified and the fact that the parties were blessed with a baby girl has also been verified.

3. Copies of marriage certificate and birth certificate have also been placed on record.

4. Charge-sheet has already been filed and the statement of the prosecutrix i.e. respondent No.2 has been recorded and learned APP for the State, in all fairness, submits that in her testimony, prosecutrix has not said



anything incriminating against the petitioner.

5. Fact, however, remains that even as per the facts placed on record, petitioner and respondent No.2 were in love and they both left their respective homes and, eventually, solemnized marriage in the year 2023.

6. The case was registered because at that time, as per the prosecution, she had not attained the age of discretion and, admittedly, now after becoming major, she has entered into marriage with the petitioner and is living happily.

7. The factum of such marriage and the fact that they are blessed with a baby girl has been confirmed and verified.

8. In view of the above, since the present case is of the year 2023 with very bleak chance of it resulting in conviction coupled with the fact that respondent No.2 and petitioner are living a blissful matrimonial life, continuing with further proceedings would thus serve no meaningful purpose and would only disrupt their stable family-life. Reference in this regard be also made to *Mohd. Parwej v. State*, 2026 SCC OnLine Del 1030, *Harmeet Singh v. State of GNCT Delhi & Ors.* 2026:DHC:3142.

9. In *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, the Apex Court observed that proceedings, even in non-compoundable cases, can be quashed on the basis of settlement provided that the Court is satisfied that there was no meaningful purpose in continuing with the proceedings, and that the scope of conviction was remote and bleak. Reference be made to *Gian Singh v. State of Punjab & Anr.*: (2012) 10 SCC 303.

10. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIR.



2026 :DHC :3581



11. Consequently, to secure the ends of justice, FIR No. 177/2023 dated 25.03.2023, registered at P.S. Sagarpur, Delhi, for commission of offence under Section 363 IPC, along with all consequential proceedings arising therefrom, stands quashed.

12. The petition stands disposed of in aforesaid terms.

13. The Court appreciates the assistance given by Mr. Vikas Kumar, learned counsel, who appears *pro bono*.

(MANOJ JAIN)
JUDGE

APRIL 25, 2026/sw/js