



2025:DHC:5854



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

% Date of decision: 21.07.2025

+ W.P.(CRL) 2236/2025

RAVINDRA PAL VALMIKI @ RAJENDER .....Petitioner

Through: Mr. Sajanpal Singh Adv. Mr.  
Tajat Teotia, Advs.  
Petitioner in person.

versus

THE STATE (GOVT. OF NCT OF DELHI) .....Respondent

Through: Mr. Sanjay Lao, Standing  
Counsel with Mr. Abhinav  
Kumar and Mr. Aryan  
Sachdeva, Advs.  
SI Esther Gazei Duo, P.S.Hauz  
Khas.

**CORAM:-  
HON'BLE MR. JUSTICE RAVINDER DUDEJA**

**JUDGMENT(ORAL)**

**RAVINDER DUDEJA, J.**

1. This is a petition under Article 226 of Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 275/2017, dated 21.08.2017, registered at P.S Hauz Khas, Delhi under Sections 363/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.



2. As per allegations in the FIR lodged at the instance of Respondent No. 2, Respondent No. 3 was kidnapped by Petitioner along another person.

3. During the proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding/ Settlement Deed dated 14.07.2025. It is submitted that petitioner and respondent no.3 got married on 29.04.2018. Two children were born out of the said wedlock. The copy of Memorandum of Understanding/ Settlement Deed dated 14.07.2025 has been placed on record as Annexure P-4(Colly).

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Esther Gazei Duo from PS Hauz Khas.

5. Respondent no.3 confirms that she had voluntarily gone with petitioner and got married with him without any force, fear, coercion and they have no objection if the FIR No. 275/2017 is quashed against the Petitioner. Respondent no.2 also states that she has no objection to quashing of FIR

6. In view of the settlement between the parties, and the fact that petitioner and respondent no.3 have got married and have been blessed with two minor children, learned Additional PP appearing for the



State, also has no objection if the present FIR No. 275/2017 is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. At the time of commission of offence, Respondent No. 3 was minor. Ordinarily, the High Courts should show restraint in quashing FIRs in such cases, but in the peculiar facts and circumstances, the High Courts can quash FIRs in such like cases. In this regard, reference may be advantageously be made to a decision of Coordinate Bench of this Court in *Kundan & Anr. Vs. State & Ors. 2022 SCC OnLine Del. 4809*, wherein it was held as under:-

"7. Ordinarily the High Courts must show restrain in quashing FIRs for offences under Sections 376 IPC and POCSO Act. In the instant case the FIR was registered under Section 363 IPC and Section 376 IPC and Section 6 of the POCSO Act were added later on. The victim/Petitioner No. 2 has stated in her 164 statement that she was in love with the Petitioner No. 1 and she eloped with him out of her own volition. It is stated they got married in a temple in Uttar



Pradesh on the very next day and the Petitioner No. 2/victim has given birth to a baby boy. The families of the Petitioners No. 1 & 2 have accepted the marriage.

8. Considering the fact that the whole life of Petitioner No. 1 and Petitioner No. 2 and their child would be ruined, this Court asked the learned APP as to whether she has any objections if this Court exercises its jurisdiction under Section 482 Cr. P.C. and quash the FIR. Learned APP for the State very fairly and taking humanitarian approach stated that she has no objections if the instant FIR is quashed.

9. In view of the peculiar facts and circumstances of this case, this Court is inclined to quash the FIR. Resultantly, FIR No. 275/2019 dated 30.10.2019 registered at Police Station Delhi Cantt. for offences under Section 363/366/376 IPC and Section 6 of the POCSO Act and the proceedings emanating therefrom are hereby quashed.

10. Accordingly, the petition is disposed of along with the pending application(s), if any.”

9. Since petitioner and Respondent No. 3 have got married and are living together as husband and wife and have been blessed with two children, the analogy of Kundan (supra) will apply to the present case.

10. In view of the peculiar facts and circumstances of the present case, no useful purpose will be served by continuing the proceedings, rather, the same will create further acrimony between them.

11. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

12. Consequently, the petition is allowed and the FIR No. 275/2017 dated 21.08.2017, registered at PS Hauz Khas, under Section 363/34 IPC along with all other proceedings emanating therefrom, is quashed.



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13. Petition stands disposed of in the above terms.

**RAVINDER DUDEJA, J**

**JULY 21, 2025**

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HIGH COURT OF DELHI



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