
(2026) 01 DEL CK 1409

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 329 Of 2026, Criminal Miscellaneous Application Nos. 1246, 1248, 1247 Of 2026

Amit Saxena

APPELLANT

Vs

State Of Nct Of Delhi And Ors

RESPONDENT

Date of Decision : 15-01-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 363, 376
Protection of Children from Sexual Offences Act, 2012 — Section 4

Citation : (2026) 01 DEL CK 1409

Hon'ble Judges : Girish Kathpalia, J

Bench : Single Bench

Advocate : Azad Khokher, Sanjeev Sabharwal, Sanser Pal Singh, Kritika Tyagi

Final Decision : Allowed

Judgement

Girish Kathpalia, J

1. The petitioner seeks quashing of case FIR No. 1001/2021 of PS Punjabi Bagh for offence under Section 363/376 BNS & Section 4 POCSO Act on the ground that complainant de facto (respondent no.2) has compromised the disputes with the petitioner.
2. Learned APP for State accepts notice and submits that the State has no serious objection in view of peculiar facts of this case.
3. Respondents no. 2 and 3 who appear on advance intimation accept notice. They are identified by IO/SI Surbhi Aggarwal and are accompanied with their counsel.
4. I have spoken in Hindi with the petitioner and respondents no. 2 and 3. They have appeared with infant child of petitioner and respondent no.2. Respondent no. 3 is father of respondent no. 2. It is stated by all of them that petitioner and respondent no. 2 were involved in a love affair and even got married and now they have an infant child. It appears that respondent no. 2 was aged more than

17 years at the time of engaging herself in sexual relations with the petitioner and was matured enough to take decisions. Now, parents of both of them have consented for their marital life. Keeping in mind the welfare of not just the parties but also the welfare of the infant born from wedlock of petitioner and respondent no.2, it would be in the interest of justice, not to push them through full dress trial.

5. Therefore, the petition is allowed and FIR No. 1001/2021 of PS Punjabi Bagh for offence under Section 363/376 BNS & Section 4 POCSO Act as well as the proceedings arising out of the same are quashed. Pending applications stand disposed of.