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

+ CRL.M.C. 1298/2026
SHAMIM SHAIPI

.....Petitioner

Through: Mr. Kuldeep Singh Grewal with
Ms.Soniya Panwar and Ms. Swati and
Ms. Kalina, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Raj Kumar, APP for the State with
SI Rahul Rati, PS Sangam Vihar.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **16.02.2026**

CRL.M.A. 5216/2026 (exemption)

Exemption allowed subject to all just exceptions.

CRL.M.C. 1298/2026 & CRL.M.A.5215/2026 (stay)

1. Petitioner seeks quashing of FIR No.406/2022 dated 27.06.2022, registered at P.S. Sangam.
2. As per petitioner, charge-sheet has been filed for commission of offences under Sections 376(2)(n)/366/363 of IPC and Section 6 of *Protection Of Children From Sexual Offences (POCSO) Act*.
3. The abovesaid FIR was registered on 27.06.2022 and, according to learned counsel for the petitioner, the petitioner solemnized marriage with the prosecutrix on 16.07.2022 according to Muslim rites, customs and ceremonies. He was, however, later on arrested and chargesheeted.

CRL.M.C. 1298/2026

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4. Petitioner was enlarged on bail on 02.12.2023 but according to learned counsel for the petitioner, both of them i.e. petitioner and the prosecutrix are residing together as husband and wife and they have even blessed with a baby girl. There is also, reportedly, a *Memorandum of Understanding* drawn between the parties whereby the prosecutrix has reiterated the factum of such marriage and has given her no objection if the FIR in question is quashed. She is also present along with her mother.
5. When asked, learned counsel for the petitioner informs that the prosecutrix had already entered into witness box and has not made any incriminating statement against the petitioner. He, however, seeks time to place on record a copy of such deposition.
6. Learned Addl. P.P. for the State/respondent No.1 appears on advance notice and seeks time to place on record status report. She also submits that the aspect of marriage and the fact that the parties were blessed with a child would also be duly verified.
7. Let status report be filed by Respondent no.1/State with advance copy to opposite side.
8. List on 02.03.2026.
9. Be shown in supplementary list.

MANOJ JAIN, J

FEBRUARY 16, 2026
st/js