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

+ **CRL.M.C. 1567/2026**

POONAM SAHNIPetitioner

Through: Counsel (appearance not given).

versus

STATE (NCT OF DELHI) & ANR.Respondents

Through: Ms. Richa Dhawan, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **26.02.2026**

CRL.M.A. 6345/2026 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CRL.M.C. 1567/2026

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No.277/2015 dated 15.05.2015 registered under section 323 of the Indian Penal Code, 1860 and section 23 of Juvenile Justice Act, 1986 at P.S.: Kirti Nagar, Delhi. Consequent upon completion of investigation, offences under sections 3/14 of Child



Labour (Prohibition and Regulation) Act, 1986 have been added *vide* chargesheet dated 13.05.2016.

2. Learned counsel appearing for the petitioner submits, that the petitioner has been discharged in the subject FIR *vide* order dated 11.08.2025 passed by the learned Additional Sessions Judge-01 (West), Tis Hazari Courts, Delhi ('trial court') with the learned trial court observing as follows :

"A perusal of the said statement shows that there is no sufficient material that would allow this Court to frame the charge against the accused Poonam Sahni under any provision as asserted by the prosecution. It does not even offer the ground of mere suspicion, let alone grave suspicion to show that the accused Poonam treated the victim with cruelty as required under the said provision. In so far as section 374 of the IPC is concerned, the gravamen of the said offence is the compulsion to do labour. Here the fact itself show that as per the statement u/s 164 Cr. P.C., the father of the prosecutrix had expired and her mother could not work and that is why, the prosecutrix came to Delhi with her uncle to find work. Though it can be said that the social and economic circumstances compelled her to work, however, the offence u/s 374 IPC requires the compulsion to flow from some act of the accused. Such is not the case here. Even on the reading of the statement u/s 161 Cr. P.C., what comes out is that the prosecutrix left her place of work as she was homesick and remembering her mother and relatives in Jharkhand. The material on record does not lend itself to a situation where there is grave suspicion against the accused. Rather, even during investigation, it appears that the prosecutrix has not supported the case of the prosecution at any stage, in so far as the accused Poonam Sahni is concerned."

In view of the above, application seeking discharge of accused Poonam Sahni is allowed and accused Poonam Sahni therefore, stands discharged.



3. The matter remains pending only because one of the co-accused is absconding. Counsel submits that a third accused has passed-away and proceedings against the said person have abated.
4. Learned counsel for the petitioner submits, that the petitioner wishes to apply for a visa; and is therefore seeking quashing of the subject FIR.
5. Issue notice.
6. Ms. Richa Dhawan, learned APP appears for the State on advance copy; accepts notice; and seeks time to take to take instructions as to whether the State would be challenging the discharge order; and file status report.
7. Ms. Dhawan submits, that the issue of partial quashing of FIR is pending consideration before the Supreme Court.
8. Considering the difficulty expressed on behalf of the petitioner, let Ms. Dhawan take instructions and file status report before the next date.
9. Re-notify on 17th March 2026.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 26, 2026/ak