



\$~89

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

+ **CRL.M.C. 2156/2026 & CRL.M.As. 8911/2026, 9016/2026**

VISHVENDRA KUMAR

.....Petitioner

Through: Mr. Dhananjai Jain and Mr.
Anurag Mishra, Advocates.

versus

GOVT OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State.
Mr. Aditya Chaudhary, Ms.
Deepali, Advocates for
Complainant.
SI Akanksha, P.S. KNK Marg.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

24.03.2026

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [corresponding to Section 482 of the Code of Criminal Procedure, 1973], seeking quashing of FIR No. 529/2025 dated 09.12.2025, registered at Police Station K.N. Katju Marg, District Rohini, New Delhi, under Sections 376/506 of the Indian Penal Code, 1860, alongwith all consequential proceedings arising therefrom
2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Aditya Chaudhary, learned counsel, accepts notice on behalf of the prosecutrix.
3. The FIR concerns an allegation of rape on the false pretext of marriage. Mr. Dhananjai Jain, learned counsel for the petitioner, submits



that the petitioner and the prosecutrix were both married, at the time of the alleged offence. He submits that it is stated in the FIR itself that the prosecutrix was already married. Mr. Jain draws my attention to a judgment of the Supreme Court in *Naim Ahamed v. State (NCT of Delhi)* [Criminal Appeal No. 257/2023, decided on 30.01.2023], which arose in similar circumstances, where the Supreme Court has held, in the facts of that case, that the prosecutrix being a married woman having three children, could not be said to have acted under a false promise of marriage. As in that case, the prosecutrix in the present case is also a married woman with children. The relationship between the parties in the present case, even according to the prosecutrix, lasted for a period of almost two years.

4. At this stage, Mr. Chaudhary submits that the proceedings before the learned Trial Court may be deferred until after the next date of hearing before this Court.

5. Having regard to the aforesaid, the proceedings before the learned Trial Court be deferred until further orders of this Court.

6. List on 14.07.2026.

7. Mr. Jain states that he has filed copies of certain judgments, the same be taken on record.

PRATEEK JALAN, J

MARCH 24, 2026

'pv/KA'/'