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

+ **CRL.M.C. 5812/2025**

DEEPAK

.....Petitioner

Through: Mr. Aditya Arora, Advocate

versus

STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Anshu Kumari, P.S.
Paharganj
Mr. Anirudh Sharma, Advocate for R-
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CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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22.08.2025

CRL.M.A. 24840/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 5812/2025

3. By way of instant petition, the petitioner seeks quashing of FIR bearing no. 125/2020, registered at Police Station Paharganj, Delhi for the commission of offence punishable under Section 376 of the Indian Penal Code, 1860 (hereafter 'IPC') and Section 6 of the Protection of Children from Sexual Offences Act, 2012 (hereafter 'POCSO Act').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. The learned counsel appearing on behalf of the petitioner states that



the petitioner herein was granted interim bail by the learned Trial Court. Since it was observed in the order *vide* which the interim bail was granted that the petitioner and the victim were in consensual relationship and before they were married, she had given birth to the child, the learned Trial Court in its wisdom had granted interim bail to the present petitioner for the purpose of him getting married to the victim. It is stated that the petitioner and victim got married on 06.05.2021, however, the victim passed away on 30.08.2023, when she had gone to visit her parental family. He states that the mother of the victim is present, who has no objection, if the FIR is quashed.

6. The learned APP for the State on the other hand states that neither the death of the victim nor the marriage between them has been verified, and the same will be verified before the next date of hearing.

7. The attention of this Court is also drawn to an order dated 31.01.2022 *vide* which the petitioner herein had been granted regular bail. The learned Judge has mentioned in the said order that the victim is present before it and she stated that she has no objection, if the accused is granted bail.

8. Though it is mentioned in the said order dated 31.01.2022 that the victim was second time pregnant from the same relationship, it was stated by the learned counsel for the petitioner that the victim died while she was carrying pregnancy, which in this Court's opinion was not possible and the order in this case was passed on 31.01.2022 that she was carrying pregnancy of two months, whereas she has passed away in the year 2023.

9. A detailed status report be filed by the State on 07.11.2025.

10. In the meantime, the learned Court is requested to adjourn the matter to a date later than the date fixed before this Court.



11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 22, 2025/ns