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

+ **CRL.M.C. 47/2026**

ISHWAR DAYAL

.....Petitioner

Through: Mr. Adil Malik and Mr. Amit Kumar
Rohela, Advocates.

versus

STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Hemant Mahla, APP for State
with SI Manju Redhu, PS Timarpur.
Ms. Farzana, Advocate for respondent
no.2 with respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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05.01.2026

CRL.M.A. 131/2026 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 47/2026

2. Petitioner seeks quashing of FIR No. 333/2025 of PS Timarpur for offence under Section 69 and 351(3) of BNS on the ground that he has got married with the prosecutrix.

3. It is contended by learned counsel for petitioner that petitioner was unmarried and got in touch with the prosecutrix through Facebook, after which they developed sexual relations with consent but the prosecutrix got registered the FIR alleging that she had been fraudulently made to agree for sexual relations on the promise of getting married. As per both sides, the prosecutrix was a widow with three children when she met the petitioner.



4. Learned APP for State and counsel for prosecutrix (*appearing along with prosecutrix*) accept notice. Learned APP submits that chief examination of prosecutrix has already been recorded in which she has supported the prosecution case.
5. As requested, status report/reply be filed within four weeks.
6. Relist on 24.03.2026 in Advance List.

GIRISH KATHPALIA, J

JANUARY 5, 2026/dr