

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.5366/2025

Sunil S/o Maharaj Singh Urf Sadhusingh, Aged About 27 Years,
Resident Of Nangla Sawai Ram Dhap Ka Nangla, Kumher District
Bharatpur (Rajasthan)

-----Petitioner

Versus

- 1. State Of Rajasthan, Through P.p.
- 2. Kaushalya Wife Of Kapoor Singh, Aged About 43 Years,
Resident Of Niwali, Police Station Ramgarh District Alwar
(Rajasthan)
- 3. Victim

-----Respondents

For Petitioner(s)	:	Mr. Prakash Thakuriya
For Respondent(s)	:	Mr. Vivek Choudhary, PP Mr. Sunil Khanna

JUSTICE ANOOP KUMAR DHAND

Order

08/12/2025

- 1. By way of filing the instant criminal misc. petition, a prayer has been made for quashing the proceedings of Sessions Case No.60/2021 pending against the petitioner before the court of Special Judge, POCSO, No.4, Alwar arising out of FIR No.561/2020 registered with Police Station Ramgarh, District Alwar under Sections 363 IPC.
- 2. Learned counsel for the petitioner submits that though at the time of alleged incident, the victim was minor, but after attaining the age of majority, she has solemnized marriage with the petitioner on 14.11.2022 and out of their wedlock, two issues have been born. Learned counsel submits that now the victim is

leading a peaceful matrimonial life with the petitioner along-with their two children and she does not wish to prosecute the petitioner. Therefore, in the best interest of their family, the impugned proceedings be quashed against the petitioner, otherwise it will disturb their matrimonial as well as family life and no purpose would be served in continuing the criminal proceedings against the petitioner before the court below. In support of his contentions, he has placed reliance upon the judgments passed by the Hon'ble Apex Court in the case of **Gian Singh Vs. State of Punjab & Anr.** reported in **(2012) 10 SCC 303** & **State of Madhya Pradesh Vs. Laxmi Narayan & Ors.**, reported in **(2019) 5 SCC 688**.

3. *Per contra*, learned Public Prosecutor opposes the prayer, but the counsel appearing on behalf of the victim accepts the above factual aspect of the matter and he submits that he and the victim have no objection, in case, the proceedings pending against the petitioner before the Trial Court is quashed and set-aside.

Victim has also put in appearance in person and submits that she has solemnized marriage with the petitioner on 14.11.2022 and out from their wedlock, two children have been born and now she is leading a happy married life with the petitioner and also submits that in the interest of their family, the proceedings pending against the petitioner be quashed.

4. Heard and considered the submissions made at the Bar and perused the material available on the record.

5. When the matter was listed before this Court on 21.11.2025, it was apprised by the counsel for the petitioner and the counsel appearing on behalf of the victim that Gram Panchayat, Dahra

Tehsil Kumher District Bharatpur has not accepted the application submitted by the petitioner and victim for the purpose of issuing registration certificate of their marriage.

After considering the above contentions of learned counsels for the parties, this Court, vide order dated 21.11.2025, issued directions to the Gram Panchayat, Dahra Tehsil Kumher District Bharatpur to accept the application seeking registration of their marriage and pass appropriate orders in accordance with law.

6. Pursuant to the aforesaid order, the parties appeared before the concerned Gram Panchayat and the Gram Panchayat has now accepted their application for issuing registration certificate of marriage on 26.11.2025. A copy of the registration certificate of their marriage is ordered to be taken on record.

7. Considering the above factual aspect of the matter and also applying the principles of law as laid down by the Hon'ble Apex Court in the case of **Gian Singh** (supra) and **Laxmi Narayan** (supra), this Court deems it just and appropriate to invoke inherent powers of this Court under Section 528 BNSS.

8. Accordingly, the instant criminal misc. petition is allowed. Proceedings in Sessions Case No.60/2021 pending against the petitioner before the court of Special Judge, POCSO, No.4, Alwar in FIR No.561/2020 registered with Police Station Ramgarh District Alwar under Section 363 IPC, stands quashed and set-aside.

9. Stay application and all pending applications, if any, stand disposed of.

(ANOOP KUMAR DHAND),J