



2026:DHC:8489



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 29.09.2026*# **CNR No. DLHC010361852026**+ **CRL.M.C. 5738/2026****DINESH CHAND UPADHYAY & ORS.**

.....Petitioners

Through: Mr. Ratnakar Maltiyar, Advocate

versus

STATE/NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Amit Ahlawat, APP for State
Mr. Adit Singh Verma, Advocate for
R2&3**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. Petitioners seek quashing of case FIR No. 330/2019 of PS Kanjhawala for offence under Section 323/354/354B/506/509/34 IPC on the ground that the complainant *de facto* (respondent no.2) and respondent no.3 have compromised the disputes with the petitioners.

2. At the outset, learned APP for State submits that in this case, the prosecutrix has already been chief examined before the trial court and she has fully supported prosecution, so in view of law laid down by the Hon'ble

CRL.M.C. 5738/2026

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Supreme Court in the case of *Narender Singh and Others vs State of Punjab and Another*, (2014) 6 SCC 466, the subject FIR cannot be quashed.

3. Besides that, even the allegations mentioned in the subject FIR are quite heinous and allege disgusting sexual misconduct on the part of the petitioners, who not just abused the respondent no. 2 in filthy language but even threatened to insert a *danda* in her private parts and hit her breasts and tore away her *kurta* and tried to break elastic of her lower garment.

4. As mentioned above, the prosecutrix has already been chief examined before the trial court and she has supported the prosecution case.

5. That being so, in view of law laid down in the cases of *Narender Singh* (supra) and *Anand Kumar @ Sanjay Lalwani vs The State of Madhya Pradesh & Ors.*, SLP (CRL.) No. 19051/2025 decided on 31.08.2026, the subject FIR cannot be quashed.

6. Therefore, the petition is dismissed.

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GIRISH KATHPALIA
(JUDGE)

SEPTEMBER 29, 2026/as