



2026:DHC:8260



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 24.09.2026*# **CNR No. DLHC010458842026**+ **CRL.M.C. 7159/2026 & CRL.M.A. 29922/2026**

JOGINDER SINGH & ORS.

.....Petitioners

Through: Mr. Chanderkant Tyagi and Mr. D. P. Singh, Advocates with petitioners.

versus

STATE (GOVT OF NCT DELHI) & ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State with SI Jag Mohan
Mr. Ram Nath Singh Kushwaha,
Advocate for R2 with R2 in person**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. Petitioners seek quashing of case FIR No. 88/2024 of PS Nihal Vihar for offence under Section 498A/406/354A/34 IPC on the ground that the complainant *de facto* (respondent no.2) has compromised the disputes with the petitioners.

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2. Learned APP for State, assisted by IO/SI Jagmohan, accepts notice and submits that State has serious objection to this petition.

3. I have heard learned counsel for petitioners as well as learned APP for State. I have also interacted with respondent no. 2 (*identified by the IO*) in Hindi.

4. There are two vital issues in the present case, which dissuade me from allowing this petition. Those issues are as follows.

4.1 Till date, neither the matrimony between petitioner no. 3 and respondent no. 2 has been dissolved, nor there has been resumption of their matrimony till date. The respondent no. 2 in her interaction in Hindi submits that she has studied till 07th standard only. Looking into the educational and socio-economic status of respondent no.2, this Court cannot leave it to chance that after quashing of this FIR, there is no resumption of matrimony or consensual dissolution thereof. It needs to be ensured that a lady of such status is not being misguided to give her consent which is misused to quash this FIR.

4.2 Secondly, there are extremely serious allegations of sexual misconduct levelled in the FIR against petitioner no. 6. It is mentioned in the FIR that the petitioner no. 6, on finding her alone in her room entered and forcibly had sex with her. In the cases titled *Narender Singh and Others vs State of Punjab and Another*, (2014) 6 SCC 466; and *Anand Kumar @ Sanjay Lalwani vs The State of Madhya Pradesh & Ors.* SLP (CRL.) No.

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19051/2025 (*decided on 31.08.2026*), the Hon'ble Supreme Court laid down the parameters to be kept in mind by the High Court before quashing an FIR. One such parameter in the present context is that where the FIR contains serious and heinous allegations of sexual misconduct, the High Court should not quash the FIR.

5. In view of above two circumstances, I do not find it a fit case to quash the subject FIR. Therefore, the petition and the accompanying application are dismissed.

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**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 24, 2026/as