



2025:DHC:7502



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 29.08.2025*+ **CRL.M.C. 2363/2025 & CRL.M.A. 10629/2025**

ALTAF

.....Petitioner

Through: Mr. Sandeep Kumar, Advocate.

versus

STATE GOVT OF NCT OF DELHI AND ANR.Respondents

Through: Ms. Manjeet Arya, APP for State.

CORAM: JUSTICE GIRISH KATHPALIA**JUDGMENT (ORAL)**

1. Petitioner seeks quashing of case FIR No. 391/2024 of PS Sarita Vihar for offence under Section 137/65(1)/351 BNS and Section 6 of POSCO Act on the ground that the complainant *de facto* (respondent no.2) has compromised the disputes with the petitioner.

2. Learned APP accepts notice and strongly objects to this petition, disclosing that the petitioner/accused is a Proclaimed Offender as on date and that the prosecutrix was and continues to be a minor in age.

3. Learned counsel for petitioner contends that quashing the present proceedings would be in the interest of the prosecutrix, otherwise she would



have to face stigma. I find this argument obnoxious, to say the least. The stigma has to be, not on the victim of the wrong, but on the perpetrator of the wrong. There has to be paradigm shift in societal mindset by attaching stigma to the accused and not to the girl who underwent the horrid suffering by way of rape.

4. Learned counsel for petitioner submits that parents of prosecutrix have settled the disputes with the petitioner. This argument also is completely devoid of merit. For, it is the minor girl, and not her parents who was wronged and suffered because of the alleged act on the part of the petitioner. It is only the prosecutrix, who could have pardoned the wrongdoer, that too in certain specific conditions. As mentioned above, prosecutrix continues to be a minor girl.

5. Further, according to the FIR, the prosecutrix was blackmailed into physical relationship by the petitioner after making her video. And as mentioned above, the petitioner is absconding and has been declared Proclaimed Offender.

6. Considering the above factors, I am not satisfied at all that it would be in the interest of justice to quash the subject proceedings arising out of FIR No. 391/2024 of PS Sarita Vihar for offence under Section 137/65(1)/351 BNS and Section 6 of POSCO Act.



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7. The petition is dismissed with costs of Rs.10,000/- to be deposited by petitioner with DHCLSC within one week. Copy of this order be sent to the trial court to ensure deposit of costs by the petitioner.

**GIRISH KATHPALIA
(JUDGE)**

AUGUST 29, 2025/ry