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

CNR No. DLHC010394352025

+ **CRL.M.C. 4251/2025 and CRL.M.A. 18551/2025**

RAJIA @ RAJNI & ANR.

.....Petitioners

Through: Mr. Rajiv Mohan, Mr. Shirender
Gupta & Mr. Manish Kashyap,
Advocates.

versus

**THE STATE GOVT. OF NCT OF DELHI
AND ANR.**

.....Respondents

Through: Mr. Shoaib Haider, APP.
ACP Jamuna Thapa & SI Rachna,
Women Police Station, North.
Mr. Ritvik Bhardwaj & Ms. Sonakshi
Chaturvedi, Advocates for R-2.

71

CNR No. DLHC010678972023

+ **W.P.(CRL) 838/2024**

XXXXXXXXXXXXXXXX

.....Petitioner

Through: Mr. Ritvik Bhardwaj & Ms. Sonakshi
Chaturvedi, Advocates.

versus

**STATE GOVT OF NCT OF DELHI &
ORS. & ORS.**

.....Respondents

Through: Mr. Rupali Bandhopadhyaya, ASC for
State.



ACP Jamuna Thapa & SI Rachna,
Women Police Station, North.

72

CNR No. DLHC010556512025

+ CRL.M.C. 5482/2025 and CRL.M.A. 23464/2025

RAZIA@RAJNI

.....Petitioner

Through: Mr. Rajiv Mohan, Mr. Shirender
Gupta & Mr. Manish Kashyap,
Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP.
ACP Jamuna Thapa & SI Rachna,
Women Police Station, North.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **20.08.2026**

CRL.M.C. 4251/2025

1. The instant petition is for the following reliefs:

“a) Quash the FIR bearing no. 515/2023, PS- Kamla Market, U/s 370/370(A) OF I.P.C. R/w Section 3/4/5/6 of ITP Act, 1956 registered on 19.10.2023 and any other proceedings arising out of the same.”

2. The petitioners herein seek for quashment of the FIR in question on the basis of the settlement.

3. There are two other petitions. The W.P.(CRL) 838/2024 filed by the complainant for transfer of investigation and CRL.M.C. 5482/2025 filed by



petitioner no.1 herein for setting aside the order of issuance of Non-Bailable Warrants dated 13.06.2025 by the JFMC, Tis Hazari Courts, Delhi, in connection with the same FIR i.e. FIR No. 515/2023.

4. The Court on 06.08.2026 had directed the petitioners to appear before the concerned Investigating Officer for their interrogation. Pursuant thereto, the status report dated 18.08.2026 has been filed by the respondent – State and the same is extracted as under:

“1. In continuation of previous Status Report, it is further submitted that in compliance with the directions contained in the order dated 06.08.2026 passed by the Hon'ble High Court of Delhi in this regard further investigation has been carried out by the undersigned and all efforts have been made to verify the facts, addresses and circumstances concerning the persons referred to in the above said all three petitions.

2. Appearance and interrogation: It is submitted that on 11.8.2026, accused Razia D/o Salim, R/o Kotha no. 56, GB road 5369 Shardanand Marg, Ajmeri Gate, Delhi, appeared at WPS North District along with her counsel and brother namely Sarfaraz (Muh Bola Bhai). Notice under Section 35(3) BNSS was served upon Razia and she joined the investigation, all the facts and circumstances of the present case were verified. She was interrogated thoroughly & during interrogation, she stated that, she is 45 years old and in the account of her poor health and other health issues, therefore she left the kotha no 56, she do not want to continue with her work at kotha anymore, hence she left without informing ladies/work inmates residing there & she had shifted to her so called brother (Muh bola bhai) Sarfaraz, who is residing at 3898 Marg Ajmeri Gate Delhi 110006 and is supplier and distributor of water and cold drink near and around Ajmeri Gate Delhi. Now presently she is residing with her younger sister Anjanamma at her parental house, H. No. 1-101, behind DVR Junior College, Pularu Road, Gorantla, Andhra Pradesh, 515521, since last one and half years. Whenever she visited Delhi she stayed at the house of her so called Brother(Muh-bola bhai) Sarfaraz S/o Zulfikar R/o H. No. 3898, Marg Ajmeri Gate, Delhi. and as per the statement of Razia @ Rajni she earned her livelihood by selling sarees which she used to buy from the shop in Chandni Chowk/Nai Sarak Delhi.

3. On 14.8.2026 local enquiry was conducted at Nai Sadak Chandni Chowk Delhi to ascertain the facts regarding purchasing of sarees by Razia. She pointed out and identified the said shop wherefrom she used to buy the sarees. In this regard the statement of Sh. Rajkumar S/o Hari Prasad, aged about 66 years, owner of the said shop, was also recorded



He identified Razia @ Rajni and stated that the concerned lady had been purchasing sarees from his shop and used to purchase sarees in bulk, he further stated that she used to take the sarees to her village and sell them there and the payments were generally made in cash to him.

4. Verification of Address: During further investigation, the address of alleged Razia @ Rajni @ Chingamma D/o Antramadu @ Salim, resident of H. No. 1-101, behind DVR Junior College, Puluru Road, Gorantla, Andhra Pradesh, 515521, has been verified. I along with my team visited her parental house in Andhra Pradesh at given above address. On visiting village Gorantla, both Razia @ Rajni and her sister Anjanamma (co accused) were found present there, they were served Notice U/s 35.3 BNSS and both were interrogated. Interrogation report of both the alleged were prepared.

5. During the interrogation alleged Razia @ Rajni stated that she had left the Kotha no 56 GB Road Shradhanand Marg before one and half year and since then she has been residing at her parental house at Gorantla Andhra Pradesh and she is selling Sarees for her livelihood and further On being specifically questioned regarding Kotha No. 56, G.B. Road, she stated that she had earlier stayed/worked there but had subsequently left the said premises as now she is 45 years old and in the account of her poor health and other health issues, she do not want to continue with her work at kotha anymore, therefore she left the kotha no 56, without informing ladies/work inmates residing there.

Further she mentioned that whenever she visited Delhi, she often stayed at her so called brother (Muh bola bhai)Sarfaraz house. Verification in this regard was carried out and during the local enquiry, it has been found that Sarfaraz S/o Zulfikar, R/o H.No.3898, Marg Ajmeri Gate, Delhi, aged about 55 years, is residing on rent at the aforesaid address since 40 years and he is distributer/Supplier of water and cold drink. During enquiry he stated that he is known to Razia for about 15 years and he is so called brother of Razia @ Rajni. Also he mentioned that whenever Razia visits Delhi, she stays at his house and thereafter returns to her native place in Andhra Pradesh. Razia was also questioned regarding her identity documents, bank account, mobile phone usage and Adhar Card etc. She stated that she never had in possession with Adhar Card and presently possessed only an Election/Voter ID and she did not have any other identity document available with her. She further stated that she did not have any bank account. Further regarding mobile usage, she stated that she had earlier used mobile No. 9220874058, but the mobile phone was stolen and thereafter she did not buy/use any other mobile phone.

6. Independent verification: Local enquiries were conducted to verify the above facts, during local enquiry statement of Mohd. Sagir S/o Mohd. Nasir, was recorded who stated that he is owner/landlord of the premises where Sarfaraz and his family residing in one portion of the premises for residential purposes on rent.



Ms. Jareena W/o Qamar Abbas, R/o H. No. 4230, Gali Fazal Hasan, Shah Tara, Ajmeri Gate, Delhi, who is neighbor of Sarfaraz was also enquired and her statement was recorded. She stated that she has been residing in the locality for several years and is acquainted with the family of Sarfaraz, Razia used to frequently visits Sarfaraz's house and generally stays there whenever she comes to Delhi. Thus, the factum of Sarfaraz's residence at the said premises and Razia's visits/stay there has been verified.

7. Examination of co-accused Anjanamma:

Notice under Section 35(3) BNSS was served upon co-accused Smt. Nalla Gingola Anjanamma W/o Nalla Gingola Uthappa, resident of Gorantla, Andhra Pradesh. On 13.8.2026 Anjanamma sister of Razia @ Rajni joined investigation During investigation she stated that Razia is her elder sister and is unmarried, she has been residing with her family at her parental house in Gorantla Andhra Pradesh for approximately 1½ years. She further stated that Razia earns her livelihood by purchasing and selling sarees in Delhi as well as in their native village Gorantla. She stated that whenever Razia visited Delhi, she generally stays at the house of Sarfaraz. She specifically stated that she does not know about Sandeep @ Vijay and has never met him. The above said statement of Anjanamma was recorded in the presence of translator Venkatalaxmi @ Poonam as Anjanama did not know Hindi/English language, statement of Anjanamma was recorded through the translator.

8. In view of the above interrogation conducted so far, to verify the facts mentioned by the accused Razia @ Rajni and her sister co accused Anjanamma, due approval was obtained from the senior officer to visit outstation for further investigation of the case. The undersigned, along with team proceeded to Andhra Pradesh for further investigation and verification. Upon reaching at PS Gorantla Andhra Pradesh, necessary assistance was obtained from the local police of PS Gorantla. HC Ramanayak, along with W/Ct. Muni, accompanied the police team during local enquiry and assisted in verification and translation of statements from Telugu into Hindi. During local verification at Gorantla, the statement of Sh. Nalla Gingolla Uthappa S/o N. Ramanna husband of co accused Anjanamma stated that he is residing at Anjanamma,s parental house, since after his marriage with Anjanamma at H. No. 1-101, behind DVR Junior College, Puluru Road, Gorantla, Andhra Pradesh, and he is working as a driver in private company. They have two children from this wed-lock elder son namely Venkatesh 24 years, and he is working in a private finance company known as Shri Ram Finance, and daughter Sarita aged 22 years is studying her masters in Bengaluru and doing part time job also. He further stated that Razia @ Rajni is his wife's elder sister and still unmarried and she has been residing with them at above mentioned her parental house for approximately 1½ years, she earns for her



livelihood by purchasing and selling sarees. He also specifically stated that he does not know any Sandeep @ Vijay.

9. Local Enquiry conducted at Gorantla Andhra Pradesh

Enquiry among the residents of vicinity of Gorantla were carried out, are as follow:

a. Anji S/o Marvappa, R/o Gorantala, Andhra Pradesh.

b. Darakshamma W/o Chelapaphi, R/o Pulur Road, 4th Block, Gorantala Andhra Pradesh.

c. Anjanama W/o Y. Marvappa, R/o 9/40 Budili SC Colony, Gorantala Andhra Pradesh.

d. Y. Marvappa S/o Y. Venkatappa, R/o 9/40 Budili SC Colony, Gorantala. Andhra Pradesh.

The witnesses generally corroborated that Razia and Anjanamma are known in the locality and that Razia has been visiting/residing with Anjanamma and selling sarees in the village.

Darakshamma and Anjanama both neighbour witnesses also stated that they oftenely purchased sarees from Razia.

10. On 16.8.2026 Notice under Section 35(3) BNSS was served upon accused Razia @ Rajni @ Chingamma D/o Antramadu @ Salim, resident of Gorantla, Andhra Pradesh, was interrogated in detail questionnaire form and interrogation report was prepared placed on file in which she has corroborated her previous version.

11. In pursuant to the directions of the Hon'ble High Court, the addresses and residential status of the accused persons Razia @Rajni and Anjanamma were verified at Delhi as well as at Gorantla, Andhra Pradesh, with the assistance of local police Gorantala. The statements of family members, neighbours, landlord and other local witnesses were recorded. The verification conducted so far indicates that Razia has been visiting/staying at Sarfaraz's house in Delhi and also has been residing at her parental house with her sister's family at Gorantla, Andhra Pradesh. The statements and supportive documents were collected during the aforesaid verification which have been placed on the case file."

5. Thus, the aforesaid status report would indicate that neither the petitioners nor the complainant, as of now, are indulged in the alleged activities.

6. The parties submit that they have amicably settled the dispute vide settlement deed dated 13.06.2025, which is on record.



7. The complainant/ respondent no.2 has no grievance against the petitioners in view of the settlement. She has made her statement voluntarily of her own accord without any coercion or pressure.

8. The police record also indicates that there is no apprehension of petitioners or complainant being indulged in human trafficking or any of the alleged activities.

9. Accordingly, on behalf of the State there is no opposition in quashing of the FIR in question in view of the settlement arrived at between the petitioners and the respondent no.2 and the statement of the respondent no.2.

10. Despite certain offences being classified as non-compoundable under the IPC, in exercise of powers conferred under Section 482 of the CrPC (Section 528 BNSS), High Courts have proceeded to quash such proceedings on account of a settlement between the parties. In **Gian Singh v. State of Punjab**,¹ the Court recognized that such an approach serves the ends of justice by bringing the litigation to an end, preventing its needless continuation, and acknowledging that following the compromise, the likelihood of conviction has become remote and bleak.

11. The conditions and pre-requisites for compounding were elaborated in **Narinder Singh v. State of Punjab**,² and the following were deemed necessary before quashing the proceedings on the basis of a settlement/compromise:

11.1 There should hardly be any likelihood of the offender being convicted, given the compromise that took place between the parties. Particularly, so in disputes that are predominantly civil in nature, for

¹ (2012) 10 SCC 303.

² (2014) 6 SCC 466.



instance those arising from commercial transactions, matrimonial relationships, or family matters, a genuine compromise may render the possibility of conviction remote and bleak;

11.2 By not quashing the criminal proceedings, justice shall be the casualty and ends of justice shall be defeated. Where continuation of proceedings despite settlement is unfair, unjust, or an abuse of process, quashing may be allowed to secure the ends of justice; and;

11.3 The timing of the compromise also becomes relevant, quashing may be considered at the investigation or early-trial stage, but is ordinarily declined once evidence is substantially complete or conviction has been recorded.

12. The aforesaid proposition was refined in **Vijay Kumar Kela v. CBI**,³ to clarify that, ultimately, it is facts and circumstances of each case that determine the compoundability of proceedings and no straight-jacket formula can be prescribed. It was also noted that before exercising powers under Section 482 of the CrPC (Section 528 BNSS), the Court must have due regard to the nature and gravity of the crime.

13. However, the Court clarified that compounding on the basis of a purported settlement cannot take place where—**first**, heinous offences affecting the society at large are in question; and **second**, a compromise between the parties cannot quash corruption or official duty offences.⁴

14. Specifically, it may also be noted that while the offence of rape is ordinarily non-compoundable.⁵ However, in cases where marriage has

³ 2026 SCC OnLine SC 1003.

⁴ (2012) 10 SCC 303.

⁵ *Ibid.*



subsequently taken place and the parties are residing together quashment on the basis of a settlement has been allowed. The principle adopted for such a quashment is that the same is required in the interest of justice and to do complete justice;⁶ and such an exercise is undertaken where despite the seriousness of the offence, the facts do not disclose such elements of public interest or heinous criminality, as to necessitate the continuation of criminal proceedings.⁷

15. Further, where proceedings for the offence of rape along with allegations under the Prevention of Children from Sexual Offences Act, 2012 (“**POCSO**”) are sought to be quashed. Courts have allowed quashment for instance where the parties have married and a child has also been born. The underlying rationale to justify such a quashment is that if the FIR is not quashed, it will adversely affect the minor child who needs protection and care from his parents, and destroy the lives of three individuals, the couple and the new born.⁸

16. Weightage is also given to circumstance where no criminal intent is involved in the act and it not a case where there was a forceful physical relationship with the minor child on the date of incident.⁹ The overarching concern of the Courts have always remained that quashing of such

⁶ *Sandeep Singh Thakur v. State of M.P.*, 2025 SCC OnLine SC 2927, para. 16.

⁷ *Mr. Vishal & Ors v. The State Of Nct of Delhi*, CRL.M.C. 2584/2026 & CRL.M.A. 10512/2026.

⁸ *Harmeet Singh v. State of NCT of Delhi*, 2026:DHC:3142, *Mr. Sujit Kumar v. State (Govt. of NCT of Delhi)*, CRL.M.C. 7406/2024, CRL.M.A. 28277/2024 & CRL.M.A. 28278/2024.

⁹ *Moeed Ahamad v. State (NCT of Delhi)*, 2024 SCC OnLine Del 8119, para 16



proceedings on account of compromise would bring about peace and would secure ends of justice.¹⁰

17. Similarly, the offence of attempt to murder is ordinarily non-compoundable. The Supreme Court¹¹ has cautioned that the High Court should not reject the plea of compounding the offence mechanically and must take note that the mere mention of Section 307 IPC in the FIR or framing of the charge is not conclusive. It remains open to the Court to consider if the said provision has been added for the sake of it or there is “*sufficient evidence*” to frame charge under this provision. Considering the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc., in certain circumstances, quashing of even such a offence, is permissible. However, such an exercise by the HC would be permissible only after the evidence is collected after investigation and the charge-sheet is filed/charge is framed and/or during the trial.

18. Further, dacoity and robbery are ordinarily non-compoundable. However, the Court while taking into consideration the facts of the case, the compromise arrived at between the parties, and considering the affidavits by each one of the petitioners by way of joint application, may in appropriate cases, exercise its inherent jurisdiction to quash the criminal proceedings arising from such offences¹² and may also reduced the sentence imposed while maintaining the conviction.¹³

¹⁰ *Ibid.*, para 17.

¹¹ *State of M.P. v. Laxmi Narayan*, (2019) 5 SCC 688, para 15.4.

¹² *Aftab Khan v. State (NCT of Delhi) & Anr.*, CrI.M.C. 4814/2015

¹³ *Unnikrishnan v. State of Kerala*, (2018) 15 SCC 343.



19. For the offence of cheating and forgery where the dispute is predominantly civil, investigation is pending for a long time, and where the complainant, including a bank, has been satisfied that the claims have been satisfied due to compromise on receiving payments, the Court has also considered the settlement while exercising its jurisdiction to bring the criminal proceedings to an end.¹⁴ Notably, in such cases, the factum of the possibility of conviction being remote and bleak owing to the settlement, also becomes a material factor, while considering the question of quashment.

20. In view of the aforesaid and bearing in mind the settlement between the parties and the principles laid down by the Supreme Court in the aforesaid decisions, the Court finds no reason not to quash the FIR in question.

21. Accordingly, FIR No. 515/2023 for offence under Sections 370/370(A) of the Indian Penal Code, 1860 (IPC) r/w Section 3/4/5/6 of Immoral Traffic (Prevention) Act, 1956, registered at Police Station Kamla Market, Delhi, and all consequential proceedings emanating therefrom against the petitioners are thus quashed.

22. The petition stands disposed of. Pending application also stands disposed of.

W.P.(CRL) 838/2024 and CRL.M.C. 5482/2025

23. The W.P.(CRL) 838/2024 is for the following reliefs:

“a. Pass a writ or directions, orders, or/and writ in the nature of mandamus or any other appropriate against the respondent No.1 to 3 thereby transferring FIR No.515 dated 19.10.2023 u/s. 370/370A, of IPC

¹⁴ *CBI v. Duncans Agro Industries Ltd.*, (1996) 5 SCC 591 and *Nikhil Merchant v. CBI*, (2008) 9 SCC 677.



and 3/4/5/6 of Immoral Trafficking Prevention Act, registered at PS Kamla Market, Delhi to Crime Branch, Delhi or any other investigating agency for its fair and impartial investigation”

and;

24. The CRL.M.C. 5482/2025 is for the following reliefs:

“A. Quash and set aside the Non-Bailable Warrants dated 13.06.2025 proceedings under Sections 82/83 Cr.P.C. dated 21.07.2025 issued against the Petitioner in the FIR no. 515/2023, PS- Kamla Market, U/s 370/370(A) OF I.P.C. R/w Section 3/4/5/6 of ITP Act, 1956 registered on 19.10.2023 by the Ld. JFMC, Ms. Bharti Beniwal, Tis Hazari Courts, Delhi, in the interest of justice;”

25. Consequent to the aforesaid order passed in CRL.M.C. 4251/2025, the prayers sought in the instant petitions have rendered infructuous, and, accordingly, the present petitions, along with pending application(s), also stand disposed of.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 20, 2026

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