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

+ **CRL.M.C. 1456/2025**

HUZEF AKRAM

.....Petitioner

Through: Petitioner with his counsel Mr.
Saurabh Verma, Adv.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State.
Complaint in person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

31.07.2025

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1. By way of the present petition, the petitioner is seeking quashing of FIR bearing No. 323/2024, registered at Police Station, Shaheen Bagh, Delhi for the offence punishable under Section 376 of Indian Penal Code, 1860 (hereafter '*IPC*') and Sections 64/69 of the Bhartiya Nyaya Sanhita, 2023 (hereafter '*BNS*') and all consequential proceedings arising therefrom.
2. Brief facts of the case are that on 23.12.2024, due to some misunderstanding between the petitioner and respondent no. 2, a complaint was lodged by respondent no. 2 which resulted into registration of the present FIR on the ground of false pretext of marriage. However, this Court is informed by the complainant/victim as well as the counsel that the parties have since been married and are living together happily.
3. Considering the same, the parties are present through and have been



identified by their counsels and Investigating Officer concerned.

4. The complainant who is present states that she has no objection, if the present FIR is quashed.

5. Thus, the issue before this Court is whether the FIR registered for an offense punishable under Section 376 of the IPC can be quashed as a matter of right based on a compromise reached between the parties. This consideration arises even though the statements recorded under Sections 161 and 164 of the Cr.P.C. initially supported the prosecution's case, and the MOU was entered into based on a monetary settlement.

6. The Hon'ble Supreme Court in the case of ***State of Haryana v. Bhajan Lal 1992 SCC (Crl) 426***, has laid down principles for quashing of the FIR and the same are extracted herein-under for reference:

“102. In the backdrop of the interpretation of the various relevant provisions of the Code under Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the exercise of the extra-ordinary power under Article 226 or the inherent powers Under Section 482 of the Code which we have extracted and reproduced above, we give the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any Court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelized and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

1. Where the allegations made in the First Information Report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima-facie constitute any offence or make out a case against the accused.

2. Where the allegations in the First Information Report and other materials, if any, accompanying the F.I.R. do not disclose a cognizable offence, justifying an investigation by police officers Under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.



3. Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.

4. Where, the allegations in the F.I.R. do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated Under Section 155(2) of the Code.

5. Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.

6. Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.

7. Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.”

103. We also give a note of caution to the effect that the power of quashing a criminal proceeding should be exercised very sparingly and with circumspection and that too in the rarest of rare cases; that the court will not be justified in embarking upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR or the complaint and that the extraordinary or inherent powers do not confer an arbitrary jurisdiction on the court to act according to its whim or caprice.”

7. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, this Court is of the opinion that no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there



is no legal impediment in quashing the FIR in question.

8. Accordingly, FIR bearing No. 323/2024, registered at Police Station, Shaheen Bagh, Delhi for the offence punishable under Section 376 of IPC and Sections 64/69 of the BNS and all consequential proceedings emanating therefrom are quashed.

9. In view of above, the present petition stands disposed of.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 31, 2025/A