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

+ **CRL.M.C. 6889/2025**

RAHUL KUMAR SONY

.....Petitioner

Through: Mr.Rahul Kumar, Advocate With
Petitioner in person.

versus

GOVERNMENT OF NCT OF DELHI & ANR.Respondents

Through: Mr.Sanjeev Sabharwal, APP for State
with WSI Meeta Yadav, PS Sangam
Vihar
Ravi Ranjan Mishra, Advocate for
complainant With complainant in
person

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **24.09.2025**

Crl.M.A. No. 28942/2025

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

Crl M.C. 6889/2025

1. Petitioner herein seeks compromise quashing of FIR No. 337/2025 dated 30.07.2025 for the alleged offence under Section 376 of the IPC registered at police station Sangam Vihar, and all other consequential proceedings arising therefrom, on the basis of a compromise between the parties. The petitioner and the complainant/Respondent No. 2 are now married and are residing together.



2. As per the FIR, the complainant alleged that the petitioner had sexual relations with her on the promise of marriage. She further alleged that when she was found to be pregnant, the petitioner refused to marry her, suggested an abortion, and blocked her number.

3. Learned counsel for the petitioners submits that the parties have amicably settled the dispute got married on 17.08.2025 in Arya Samaj and they have been living in their matrimonial house together. He further submits that an affidavit of no objection to the quashing, deposed by respondent no. 2, has also been placed on record. Reliance has been placed on ***Gian Singh v. State of Punjab (2012) 10 SCC 303, Narinder Singh v. State of Punjab (2014) 6 SCC 466, Jai Singh v. State of Madhya Pradesh and, M.Cr.C. No. 29955/2022, and Parbatbhai Aahir v. State of Gujarat, (2017) 9 SCC 641.***

3.1 Learned counsel submits that the alleged offences arise purely out of a consensual and personal relationship between two adults, which has since culminated in marriage. It is submitted that the FIR was registered without proper verification, investigation, or cogent evidence, and is based on an afterthought statement of Respondent No. 2.

3.2 He further submits that the dispute is no overriding public interest involved, and continuation of proceedings serves no fruitful purpose, except causing mental trauma and harassment to both parties. Moreover, he submits that the pendency of the proceedings is adversely affecting her matrimonial life with the petitioner, with whom she is now married.

3.3 He also submits that absence of any allegation of false promise from inception and subsequent refusal to marry would not establish the offence of rape. Reliance has been placed on ***Kunal Chatterjee v. State of West***



Bengal, LP(Crl.) No. 7004/2025, Prithivirajan v. State, 2025 SCC OnLine SC 696, and Sonu v. State of U.P., (2021) 18 SCC 517.

3.4 Reliance is also placed on **John Franklin Shylla v. State of Meghalaya (Crl. Pet. No. 3 of 2023)**, where it was held that a 16-year-old adolescent can make a conscious decision regarding sexual acts, and in such cases, courts may invoke their inherent powers to meet the ends of justice. Similarly, in **Vijayalakshmi v. State (Crl. O.P. No. 232 of 2021)**, the Madras High Court cautioned against misuse of stringent provisions under POCSO in consensual adolescent relationships, observing that such laws should not be used as tools to abuse the process.

4. Both the counsel for Respondent No. 2 and the learned APP for the State concur with the factum of the compromise between the parties and convey their no objection to the quashing of the FIR.

5. In the aforesaid backdrop, I have heard learned counsels for the parties and have perused the case file.

6. Parties are present in the Court and I have interacted with them. Upon a query to the complainant *qua* her age, she states that her date of birth is 15.03.2005 and in support of which she has produced her Aadhar Card which bears the same date of birth. A copy of the same be made part of the Court record.

7. Prima facie, it appears to be a case of consensual relationship between the two adults which was misunderstood due to some verbal accusations. The prosecutrix felt threatened that she was being used by the petitioner and he would not carry out his promise for marriage. Therefore, the said misunderstood message led to registration of FIR.

8. In the course of hearing today, she regrets that she had to take extreme



steps of leveling such allegations which she was not aware would result in adverse consequences inasmuch as the applicant at one stage was arrested and kept in judicial custody also for a period of two weeks. However, he was released upon her not opposing the bail as well as their marriage with each other. She submits that right now she is enjoying the matrimonial bliss and she has no complaint against the petitioner as it would rather travesty in case the trial has to continue despite her not pressing any charges against the petitioner.

9. In view thereof, considering that the parties are residing together harmoniously and leading a happy, peaceful, and tranquil family life, it would be travesty of justice to put the parties to undergo the harassment and humiliation of the trial, which in any case in all likelihood would result in the acquittal of the petitioner since respondent no.2, being his wife, does not wish to press any charges. Quashing the proceedings would, on the contrary, safeguard the sanctity of their marital life, prevent unwarranted hardship, and uphold their right to live together in peace and dignity, free from stigma.

10. The parties have built a family unit, and thus continuing the proceedings would destabilize their lives and would serve no societal or public interest. It would rather inflict unnecessary trauma on a consensual relationship that has now evolved into a legal marriage.

11. Continuing with criminal proceedings would serve no useful purpose. It would be a drain on judicial resources and abuse of the process of law, Continuation of the proceedings, on the other hand, may result in hostility between the parties and defeat the very purpose of the settlement.

12. In the premise, the ends of justice thus warrant quashing of the proceedings under Section 528 BNSS, thereby enabling the couple to lead a



peaceful and dignified life. Reference in this context may also be made to judgment rendered in the case of ***Gian Singh*** (Supra).

13. The instant petition is thus allowed. The criminal proceedings arising out of FIR No. 337/2025 dated 30.07.2025 for the alleged offence under Section 376 of the IPC registered at police station Sangam Vihar along with any consequential proceedings arising therefrom, are quashed.

14. The petition, along with pending application(s), if any, stands disposed of.

ARUN MONGA, J

SEPTEMBER 24, 2025/Sv