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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7081/2025 & CRL.M.A. 29713/2025**
ANURAG BHATIAPetitioner

Through: Mr. Chandan Rai Chawla, Mr. Bharat
Khurana and Mr. Parminder
Sehrawat, Advocates with Petitioner
(in-Person).

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents
Through: Mr. Hemant Mehla, APP for State.
SI Manu, P.S. Sunlight Colony.
Mr. Inderpreet Singh, Advocate for
R-2 with R- 2 (in-Person).

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **20.11.2025**

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 276/2024 dated 6th September, 2024, registered at P.S. Sunlight Colony, Delhi under Sections 376, 323 and 313 of the Indian Penal Code, 1860³, and all proceedings emanating therefrom.

2. The case of the prosecution is that the prosecutrix came in contact with the Petitioner, Anurag Bhatia, through 'Tinder' in November 2019 and they thereafter developed friendly relations. On 12th January, 2020, during a party at a friend's flat in Hari Nagar, Ashram, the Petitioner had sexual intercourse with her when she was intoxicated and without her consent,

¹ "BNSS"

² "CrPC"

³ "IPC"



assuring her subsequently of marriage. It is further alleged that the accused continued to have sexual relations with her on the false promise of marriage, and when she became pregnant in January 2021, he forcibly administered abortion pills in Sector-14, Gurgaon, also causing her physical assault. Thereafter, he discontinued all communication with her and blocked her contact. On the basis of her complaint, the FIR was registered for offences under Sections 376, 323 and 313 IPC. Upon completion of investigation, a charge sheet has been filed under the said provisions.

3. The parties now state that they have amicably resolved all their disputes and differences. Respondent No. 2 has decided not to pursue the subject FIR. Pursuant thereto, a Memorandum of Understanding dated 3rd September, 2025, executed between the Petitioner and Respondent No. 2, has been placed on record and perused by the Court. As per its terms, the parties have amicably resolved their disputes and differences.

4. Respondent No. 2, who is present in Court today and is duly identified by the Investigating Officer, confirms the settlement and unequivocally states that she has no objection if the impugned FIR and the proceedings emanating therefrom are quashed. To this effect, her Affidavit/No Objection Certificate is also on record.

5. Considering the nature of allegations involved, this Court had a detailed interaction with Respondent No. 2. She has responded to the Court's queries with clarity and without any hesitation. Her demeanour indicates that she fully comprehends the implications of her statements. There is nothing on record to suggest that she is acting under any threat, coercion, or undue influence.

6. Upon being specifically asked about her reasons for seeking quashing



of the FIR, Respondent No. 2 submits that she is now 25 years of age and wishes to move forward in life. She states that being of marriageable age, her parents are exploring prospects for her future and continuation of the criminal proceedings would cause unnecessary hardship. She further clarifies that the allegation of forced physical relationship was a result of misunderstanding and emotional distress at that time. She states that at the time of the incident reported in the FIR, she was intoxicated and, having now reflected upon the incidents, she believes that the sexual relationship between the parties was consensual. She adds that with passage of time and discussions between them, she has understood the Petitioner's position, and both parties have resolved their differences amicably. It is also their mutual desire that the present proceedings be brought to a closure.

7. The Court has considered the afore-noted facts. The offences under Sections 313 and 376 IPC are non-compoundable, while the offence under Section 323 IPC is compoundable. Notably, the offences under Sections 376 and 377 IPC are grave and heinous in nature. The Court is conscious that such charges cannot ordinarily be quashed on the basis of a settlement between the parties. However, in appropriate and exceptional circumstances, Courts have exercised their inherent jurisdiction to quash criminal proceedings, where the factual matrix and the interest of justice so warranted.

8. In this regard, it is apposite to refer to the judgement of the Supreme Court in **Kapil Gupta v. State of NCT of Delhi**,⁴ wherein the Court, while quashing an FIR and consequential proceedings where the accused had been charged with offence under Section 376 of the IPC, observed as under



“13. It can thus be seen that this Court has clearly held that though the Court should be slow in quashing the proceedings wherein heinous and serious offences are involved, the High Court is not foreclosed from examining as to whether there exists material for incorporation of such an offence or as to whether there is sufficient evidence which if proved would lead to proving the charge for the offence charged with. The Court has also to take into consideration as to whether the settlement between the parties is going to result into harmony between them which may improve their mutual relationship.

14. The Court has further held that it is also relevant to consider as to what is stage of the proceedings. It has been observed that if an application is made at a belated stage wherein the evidence has been led and the matter is at the stage of arguments or judgment, the Court should be slow to exercise the power to quash the proceedings. However, if such an application is made at an initial stage before commencement of trial, the said factor will weigh with the court in exercising its power.”

9. In the present case, this Court as noted above, has interacted at length with Respondent No. 2, who has affirmed that she is making her statements voluntarily. She has reiterated that the physical relationship between the parties was consensual and that the allegations levelled in the FIR arose due to her misunderstanding and emotional state at the relevant time. She clearly states that there was no forcible sexual act or physical assault by the Petitioner and that, with the passage of time and complete resolution of their issues, she does not wish to pursue the criminal proceedings. Her responses have been consistent and unhesitating, leaving no reason for the Court to doubt her voluntariness or comprehension.

10. In light of the above developments, and notwithstanding the fact that the offences involved are grave and serious in nature, this Court is of the opinion that, having regard to the nature of the allegations in the FIR and the chargesheet, as well as the unequivocal stand taken by the Prosecutrix

⁴ 2022 SCC OnLine SC 1030.



before the Court, the request for quashing merits consideration. The likelihood of the FIR culminating in a conviction appears remote, particularly in view of Respondent No. 2's clear and consistent expression of her unwillingness to pursue the matter any further. In the considered view of the Court, the continuation of the criminal proceedings would serve no useful purpose and would only result in unnecessary and prolonged litigation. It has also the potential of causing emotional distress to the complainant if the matter is put to trial and she has already stated to the Court that she would like to move on as her parents are looking for her marriage prospects. The quashing of the FIR would thus secure the ends of justice and bring quietus to the dispute.

11. However, considering that the State Machinery was put in motion, the ends of justice will be served if the Petitioner is put to certain cost.

12. In view of the foregoing, the present petition is allowed and FIR No. 276/2024 dated 6th September, 2024, registered at P.S. Sunlight Colony, Delhi under Sections 376, 323 and 313 IPC and all proceedings emanating therefrom are hereby quashed, subject to payment of a cost of INR 10,000/- by the Petitioner to the Delhi Police Welfare Fund, within a period of four weeks from today. The proof of payment of cost be submitted with the concerned IO.

13. The parties shall remain bound by the terms of settlement.

14. Accordingly, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

NOVEMBER 20, 2025/as