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

+ CRL.M.C. 7168/2025 and CRL.M.A. 30137/2025

MUDASIR HANDOO

.....Petitioner

Through: Mohd. Faris, Mohd. Sufiyan and
Mohd. Ashraf, Advocates with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State.
Mr. Rajeev Jain, Mr. Sandeep Mishra
and Mr. Surbhit Nandan, Advocates
with complainant in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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10.10.2025

1. Petitioner herein seeks quashing of an FIR No. 106/2018 dated 23.04.2018 for the alleged offences under Section 377 of IPC registered at Police Station Hazarat Nizamuddin as well as chargesheet which was later filed under Sections 376/377 of IPC and all other consequential proceedings arising therefrom, on the basis of a compromise.
2. The complainant alleges that Mudasir Handoo (petitioner) promised marriage, exploited and her later revealed he was engaged to another woman, causing her severe mental and emotional distress.
3. Learned counsel for the petitioner submits that the parties have now



amicably settled the matter vide settlement deed dated 18.09.2025, duly signed by both parties which is appended as Annexure D-5.

3.1 Learned counsel for the petitioner further submits that the couple were in a consensual relationship for four years. The alleged promise to marry was genuine but unfulfilled due to unavoidable circumstances. No prior complaint of sexual misconduct existed, and the FIR, even if taken at face value, does not disclose any offence under Sections 376/377 IPC. The complainant has expressed no objection to prosecution.

4. Learned counsel for respondent no.2 and Learned APP for the State both 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 counsel for the petitioner and respondent no. 2 as well as perused the material available on record.

6. Both parties are present in the Court and have been identified by learned counsel for the parties as well as by the IO of the case. Upon a query put to the complainant qua the settlement, she unequivocally states that the matter has been settled by her of her own volition, without any undue pressure or coercion.

6.1 She further submits that the allegations which were levelled earlier against the petitioner arose out of heated temper and due to some misunderstanding. She does not deny that they were good friends at one time which resulted into natural love and affection but the same did not materialise into any permanent relationship. Therefore, both of them have now decided to call it quits and move on in their respective lives. She regrets that she levelled the allegations leading to invocation of Section 376/377



IPC. At the relevant time she did not realise the adverse consequences qua the same.

6.2 On a repeat query qua the allegations made by her attracting Section 376/377 of the IPC, she submits that she did not realize the harshness thereof as she was not much aware about the criminal law. She does not now want to disturb her peace and harmony which she has so hard tried to strive. Thus, she does not oppose the prayer made by the petitioner seeking quashing of the FIR.

7. Upon hearing the parties and examining the nature of the dispute, it is borne out that the matter is purely private and personal, arising out of a misunderstanding. Even on a plain reading, and in light of the candid statements of parties, it appears doubtful whether the essential ingredients of the offences invoked under the penal provisions are satisfied. In light thereof, I am of the view that the petition deserve to be allowed on that count as well.

8. Having heard the counsels as above, I am of the view that a part from settlement, even otherwise, it is not a case where ingredients of Sections 376/377 IPC are made out given the candid statement of the complainant, as noted above. In view thereof, there is hardly any change of conviction.

9. Be that as it may, since respondent no. 2 does not wish to press charges against the petitioner and in the absence of any incriminating material against them, coupled with the fact that the parties have amicably compromised the matter, the proceedings would amount to an abuse of the process of law.

10. The dispute, being private and personal in nature arising out of the personal relationship of the parties, which has since been amicably resolved,



and the complainant herself does not wish to pursue the case. In these circumstances, pursuing the criminal case against the petitioner would serve no useful purpose, rather it would unnecessarily burden the judicial system.

11. Thus, in the larger interest of justice, and in exercise of the inherent powers vested in this Court, it is deemed expedient to quash the FIR in question and proceedings arising therefrom. Reference may also be made to the judgment of the Supreme Court in *Gian Singh v. State of Punjab & Anr.* [(2012) 10 SCC 303].

12. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No. 106/2018 dated 23.04.2018 and all other consequential proceedings including the chargesheet under Sections 377/376 of IPC registered at Police Station Hazarat Nizamuddin against the petitioner are hereby quashed.

13. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

OCTOBER 10, 2025

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