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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-23426-2026 (O&M)

Date of decision: 19.05.2026

MOHIT

...PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Gaurav Singla, Advocate
for the petitioner.

Mr. Kshitij Bharati, AAG, Haryana.

Mr. Ankur Sain, Advocate for
Mr. Gaurav Gupta, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks quashing of FIR No.43 dated 27.05.2024 under Sections 376(2)(n), 506 IPC, Women Police Station Central, Faridabad, District Faridabad and all subsequent proceedings arising therefrom on the basis of compromise 07.03.2025. Section 406 IPC was added in the FIR during investigation.
2. Complainant 'K' alleged that Mohit was friend of her brother and used to visit their house frequently, due to which she started talking to him. He called her at metro station on pretext of discussing something important and engaged her in conversation. Thereafter, he called her at Delight Residency Country Home Stay and in September 2022, forcibly raped her. When she confronted him, he stated that he had recorded obscene video of her which he threatened to viral and to kill her. Further, she alleged

that under such threats, he raped her on multiple occasions, in June 2023, on 06.05.2024 and on 20.05.2024 and also took possession of her phone. Legal action was prayed for.

3. On 29.04.2026, this Court directed the parties to appear before learned trial Court/Illaqa Magistrate for recording of their statements on the basis of compromise.

4. In compliance of the aforesaid order, parties appeared before learned Additional Sessions Judge, Faridabad on 11.05.2026. Statement of Investigating Officer IO/HC Sunita was also recorded on 11.05.2026. Learned Additional Sessions Judge, Faridabad has submitted his report recording satisfaction that all the parties have entered into a valid compromise without any influence or coercion. Point-wise report as under has been submitted:

“1. That there is only one accused, namely Mohit in the present case.

2. That statement of accused namely Mohit, recorded on 11.05.2026.

3. That during investigation, no additional accused has been added in the FIR as such, except the petitioner/accused, there is no other accused, party to the compromise, as claimed to have been arrived at, between the parties.

4. That the accused has neither been declared an absconder nor proclaimed person in the present case.

5. *That offence under Section 406 of the IPC, after the registration of the FIR was added during the investigation, in the present case.*
6. *That no investigation is pending in the present case. That the accused has not been declared innocent either.*
7. *That as regards, the name of the complainant/injured/aggrieved, the present case being of sexual offence committed against a woman, her name has been withleld and has not been brought on record. However, photograph of the prosecutrix, has been affixed, on her statement recorded in the Court, on the said date, for record.*
8. *That the complainant/prosecutrix, who is the only aggrieved and her statement has recorded on 11.05.2026).*
9. *That the case is pending, at the stage of prosecution evidence.*
10. *That the compromise claimed to have been arrived at, between the prosecutrix and the accused, prima-facie appears to be genuine. Compromise is free from any kind of pressure or undue- influence from any quarter.*
11. *That no other criminal case or proceeding are pending against the accused.*
12. *Statement of Investigating Officer has also recorded.”*

5. Status report by way of affidavit of HPS, ACP, Old Faridabad, has been filed by State of Haryana, which is taken on record. Learned State counsel has not raised any dispute regarding the factum of compromise.

6. Apparently, dispute between prosecutrix and petitioner has been amicably resolved. In '*Madhukar and others vs. The State of Maharashtra and another*', 2025 *LiveLaw* (SC)710, Hon'ble Supreme Court of India, recognizing that offence under 376 of the Indian Penal Code is of a grave and heinous nature, observed that the power of Court under Section 482 Cr.P.C. to secure the ends of justice is not constrained by a rigid formula and must be exercised with reference to the facts of each case. In that case, the complainant expressed desire not to pursue the case on the ground that she was now married, settled in personal life and continuing with the criminal proceedings would only disturb her peace and stability. Hon'ble Supreme Court observed that the parties had amicably resolved their differences and arrived at mutual understanding and continuation of trial would not serve any meaningful purpose, rather would only prolong distress for all concerned specially the complainant and burden the Court without the likelihood of productive outcome.

7. In her statement before learned trial Court, prosecutrix stated that she wished to move forward in life and wanted to get settled as her parents were searching for a suitable match. She further stated that she was not willing to pursue the case any further as it was affecting her personal life. The parties have resolved their disputes amicably and should be saved from the agony of criminal trial. The continuance of criminal trial would only add to the sufferings of the parties and would be an exercise in futility.

8. Following the principles of law laid down by Hon’ble Supreme Court in '*Madhukar and others vs. The State of Maharashtra and another*', *2025 LiveLaw (SC)710*, it is a fit case warranting exercise of discretion under Section 528 Bharatiya Nagrik Suraksha Sanhita, 2023.
9. The petition stands allowed. FIR No.43 dated 27.05.2024 under Sections 376(2)(n), 506, 406 IPC, Women Police Station Central, Faridabad, District Faridabad and all subsequent proceedings arising therefrom, are quashed qua the petitioner, on the basis of compromise.
10. Pending miscellaneous application(s), if any, stand disposed of.

19.05.2026
Sumit Singla

(SHALINI SINGH NAGPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:
:

Yes/No
Yes/No