



\$~52

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
% **Date of Decision: 27<sup>th</sup> January, 2026**  
+ **CRL.M.C. 667/2026 & CRL.M.A. 2659/2026**  
**MONU KUMAR**

.....Petitioner

Through: Mr. Raj Kumar, Mr. R.K. Chaudhary  
and Ms. Saira Parveen, Advocates  
along with petitioner in person.

versus

**THE STATE NCT OF DELHI AND ANR**

.....Respondent

Through: Mr. Digam Singh Dagar, APP for the  
State with SI Amit Beniwal.  
Mr. Ocean Chaudhary, Advocate for  
R-2 along with Respondent No.2 in  
person.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. The present petition seeks quashing of FIR No.0352/2024 dated 05.08.2024, registered at P.S. Mansarovar Park, Delhi for commission of offences under Sections 376/506 IPC, along with all consequential proceedings emanating therefrom, on the basis of compromise arrived at between the parties.
2. The FIR was registered on the basis of complaint made by respondent No.2 in which she had, broadly speaking, alleged that there was physical relationship between her and the petitioner. According to her, she was under emotional stress at that time as the accused had threatened that, if refused, he would commit suicide.
3. The petitioner was released on anticipatory bail earlier and now he is stated to be out on regular bail. The chargesheet has already been filed and the



case is awaiting committal.

4. The copy of settlement deed dated 14.01.2026 has been placed on record, in which it has been stated that FIR has been lodged on some mistaken belief and in the heat of the moment and that with the help of a common friends, the matter has, now, been resolved and the parties have decided to move on and have now separated.

5. Respondent No.2 is present in person and she has been identified by her counsel Mr. Ocean Chaudhary as well as I.O.SI Amit Beniwal.

6. When asked, she reiterated the terms of the settlement and submitted that she has moved on with her life and any further pendency of the present matter would prove to be a stumbling block in her future rehabilitation.

7. She also submits that FIR was registered by her under some mistaken belief and mistaken advice and she has no grievance and grudge against the petitioner and, therefore, prays that FIR in question may be quashed.

8. Undoubtedly, if it was a case of consensual relationship, ideally speaking, she should not have got registered any FIR at all. The offence in question is a serious and heinous one but, at the same time, as per the specific stand taken by respondent No.2, the case was registered under some mistaken advice and misunderstanding. She also submits that the pendency of the case would spoil her prospects of complete and proper rehabilitation and would also cause undue harassment to her.

9. Learned counsel for petitioner relies upon order dated 14.11.2024 passed in *Sameer Ansari v. State NCT of Delhi & Anr* (in CRL.M.C.5866/2024) and submits that the factual aspects are, more or less, similar and in that case also Coordinate Bench of this Court, while making reference to various precedents of Apex Court and this Court, permitted



quashing, holding that continuance of the proceedings would cause unnecessary hardship in the future lives of the parties. Reference in this regard be made to decisions of Co-ordinate Bench of this Court in *Danish Ali vs. State and Ors.* (CRL. M.C. 1727/2019), *Vivek Kumar Yadav vs. State and Ors.* (CRL. M.C. 1034/2021), *Lalit Kumar Vats vs. State of NCT of Delhi and Ors.* (CRL. M.C. 2384/2020) and *Vikaram Prasad Gaur & Anr vs. State of NCT of Delhi and Anr.* (CRL. M.C. 3676/2025) wherein also, the proceedings under Section 376 were quashed on the basis of settlement.

10. The prosecutrix has unequivocally submitted that the trial would only cause prolonged distress to her.

11. The power of the Court under Section 528 BNSS (corresponding Section 482 CrPC) extends to quashing offences which are non-compoundable on grounds of settlement between victim/complainant and accused, however, such power is to be exercised with caution. Reference in this regard is made to *Narinder Singh & Ors. vs. State of Punjab & Anr.*, (2014) 6 SCC 466, wherein the Apex Court had observed that proceedings, even in non-compoundable cases, can be quashed on the basis of settlement provided that the Court is satisfied that there was no meaningful purpose in continuing with the proceedings, and that the scope of conviction was remote and bleak.

12. It will also be useful to make reference to one recent pronouncement of the Apex Court i.e. *Madhukar & Anr. vs. State of Maharashtra* 2025 SCC OnLine SC 1415. The abovesaid case also relates to offence under Section 376 IPC and, when an application was moved by the parties seeking quashing of the proceedings on the basis of settlement, such petition was dismissed by the jurisdictional High Court which compelled the parties to approach



Hon'ble Supreme Court. The Apex Court observed as under in para 6:-

*"6. At the outset, we recognise that the offence under Section 376 IPC is undoubtedly of a grave and heinous nature. Ordinarily, quashing of proceedings involving such offences on the ground of settlement between the parties is discouraged and should not be permitted lightly. However, the power of the Court under Section 482 CrPC 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."*

13. Resultantly, in the abovesaid case, while taking note of the submission of the victim wherein she had submitted that she had settled in her personal life and continuing with the criminal proceedings would only disturb her peace and stability, finding complete consistency in her such stance, and noticing the fact that the continuation of the trial would not serve any meaningful purpose and it would rather only prolong distress for all concerned, especially the complainant, and the burden of the Courts, without the likelihood of a productive outcome, the appeals were allowed and the criminal proceedings were quashed.

14. Herein also, the situation is precisely the same and, in the given facts and settlement arrived at between the parties, continuing with criminal proceedings would serve no real purpose.

15. Accordingly, exercising inherent powers vested in this Court under Section 528 of the BNSS, it is deemed appropriate to quash the instant FIR.

16. Consequently, to secure the ends of justice, FIR No.0352/2024 dated 05.08.2024, registered at P.S. Mansarovar Park, Delhi for commission of offences under Sections 376/506 IPC, with all consequential proceedings emanating therefrom, are hereby, quashed subject to both the parties jointly depositing cost of Rs. 20,000/- with *Delhi High Court Staff Welfare Fund* [Account no. 15530110074442: IFSC UCBA0001553] within two weeks



from today.

17. The petition, along with the pending application, stand disposed of in aforesaid terms.

**(MANOJ JAIN)**  
**JUDGE**

**JANUARY 27, 2026/ss/pb**