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

\# **CNR No. DLHC010493382026**

\+ CRL.M.C. 7698/2026 & CRL.M.A. 32096/2026

RAHUL KUMAR & ORS. .....Petitioners

Through: Mr. Manjit Soni and Ms. Ankita, Advocates along with petitioners-in-person.

versus

STATE OF NCT OF DELHI & ANR. .....Respondents

Through: Ms. Shubhi Gupta, APP.
Mr. Krish Jha and Mr. Kartik Goswami, Advocates for R-2 along with R-2 in person.
Ms. Mary Deswal, SI, P.S. Civil Lines.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 12.10.2026

CRL.M.A. 32096/2026 *(exemption)*

1. Allowed, subject to all just exceptions.

CRL.M.C. 7698/2026

2. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking quashing of FIR No.379/2026 dated 22nd September, 2026, registered at P.S. Civil Lines, Delhi, under Sections 69, 115 and 3(5) of Bharatiya Nyaya Sanhita, 2023 ('BNS') and all proceedings arising therefrom, on the ground of settlement.

3. Issue notice.

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4. Notice is accepted by the APP appearing on behalf of the State and the counsel appearing on behalf of the respondent no.2.

5. The present FIR has been registered pursuant to the complaint made by the respondent no.2 alleging that the petitioner no.1 was in a relationship with the respondent no.2 and had represented to her that he would marry her. Based upon the aforesaid promise of marriage, the petitioner no.1 established physical relations with the respondent no.2 and subsequently refused the marry her. The petitioners no. 2 to 4 are the family members of the petitioner no.1.

6. Now, the parties have settled their disputes in terms of the MoU dated 3rd October, 2026, which has been placed on record as Annexure P/3 to the petition. In terms of the MoU, the parties have resolved their disputes and solemnized their marriage with each other on 1st October, 2026 as per Hindu rites and ceremonies. The parties are now living together as husband and wife. A copy of the marriage certificate has been placed on record as Annexure P/2 to the petition.

7. While it is true that serious and heinous offences cannot be quashed merely on the basis of a settlement between the parties, the same is not an absolute rule. The exercise of power under Section 482 Cr.P.C. depends on the facts and circumstances of each case. Accordingly, in appropriate cases, the Supreme Court, as well as this Court, have quashed proceedings involving an offence under Section 376 IPC and Section 6 of POCSO. Reference in this regard may be made to ***Jatin Agarwal v. State of Telangana***, 2022 SCC OnLine SC 1969 and ***Kapil Gupta v. State of NCT of Delhi & Anr***., (2022) 15 SCC 44.

8. In ***Jatin Agarwal*** (supra), the Supreme Court was dealing with the

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quashing of an FIR registered under Section 417, 420 and 376 IPC, basis the allegation that the accused had failed to honour a matrimonial promise after engaging in physical relations with the complainant. The Supreme Court quashed the said FIR observing that the complainant was married to the accused and was living happily. The relevant observations of the Supreme Court are set out below:

> *"5. Considering the aforesaid facts and* ***keeping in view that the respondent no. 2/complainant has herself made a statement before us that she has married the appellant and now living happily****, we exercise our powers under Article 142 of the Constitution of India and to do complete justice in the matter, we quash the FIR dated 16.08.2020 lodged by the respondent no. 2 against the appellant under Sections 417, 420 and 376 IPC…."*
>
> (emphasis supplied)

9. Reference may also be made to order dated 27th March, 2026, in CRL.MC.2295/2026, titled '***Narender @ Narender Lal* v. *The State NCT of Delhi***', wherein a coordinate bench of this Court, in similar facts, quashed an FIR under Sections 64(2)/67/123 BNS.

10. The respondent no.2 is present in Court and has been identified by her counsel as well as by the Investigating Officer ('IO'). She informs the Court that she has settled the matter of her own free will, without any coercion and is now living with the petitioner no.1 as his wife. She further states that she has no objection to quashing of the present FIR.

11. The petitioners are also present in Court and have been identified by their counsel. They affirm the statement of the respondent no.2 and undertake to abide by the terms of settlement arrived at between the parties.

12. Considering the above settlement between the parties and the fact that the petitioner no.1 and respondent no.2 have started living together as husband and wife, no useful purpose would be served by continuing with the

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proceedings of the present FIR and it would an unnecessary burden on the State exchequer. The FIR is of 22nd September, 2026, hence, the proceedings are at a nascent stage. Accordingly, in the opinion of this Court, this would be a fit case for the exercise of the discretionary power to quash criminal proceedings, conferred under Section 528 of BNSS. The said exercise would be for the benefit of the parties, to facilitate them to live a peaceful domestic life. Hence, it would be in the interest of justice to quash the present FIR and the proceedings pursuant thereto.

13. Consequently, the FIR No.379/2026 registered at P.S. Civil Lines, Delhi and the proceedings pursuant thereto are quashed.

14. The petition stands disposed of.

AMIT BANSAL, J

OCTOBER 12, 2026
Vivek/-

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