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

\# **CNR No. DLHC010550142026**

\+ CRL.M.C. 8523/2026

ARJUN SINGH .....Petitioner

Through: Mr. Jitendra Kumar Singh, Advocate (through VC).
Petitioner in person with Mr. Prashant Kumar, Advocate.

versus

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

Through: Mr. Raghuinder Verma, APP for the State with SI Ritika Choudhary PS NFC.
Respondent no.2 in person with Mr. Dharmendra Kumar Shukla, Adv.

CORAM:
HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

O R D E R

% 19.11.2026

1. Hybrid Mode.

CRL.M.A. 35744/2026(exemption)

2. Allowed, subject to all just exceptions on the condition that the requisite documents shall be filed as per Delhi High Court Rules.

3. Application stands disposed of.

CRL.M.C. 8523/2026

4. This is a petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, (hereinafter referred to as 'BNSS') erstwhile Section 482 of the Code of Criminal Procedure,1973 (hereinafter referred to as 'Cr.P.C.')

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seeking quashing of FIR No. 213/2024 dated 12.08.2024, registered at Police Station New Friends Colony, Delhi for the offence punishable under Section 69 of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as 'BNS') and all consequential proceedings arising therefrom, on the basis of a Memorandum of Understanding (hereinafter referred to as 'MoU') between the parties.

5. Devoid of unnecessary details, the aforementioned FIR was registered on the basis of complaint made by Respondent no.2 in which she stated that she came into contact with the petitioner, both adults, on a social platform (Instagram) whereby Petitioner told her that he was working in Kuwait. She further alleged that Petitioner came to India and on 21.07.2024, called her to a rented room in New Friends Colony, New Delhi, where she entered into physical relationship with him and such relationship was based on his promise to marry her. However, since he refused to marry her, she got the aforementioned FIR registered.

6. During the course of investigation, Respondent No. 2 was medically examined at AIIMS, New Delhi, *vide* MLC No. 5299/2024 dated 12.08.2024, wherein she gave a history of consensual sexual intercourse on the promise of marriage, with no history of physical assault or verbal threats, and declined internal medical examination. Significantly, on the very next day, i.e., 13.08.2024, the statement of Respondent No. 2 was recorded under Section 183 BNSS before the learned JMFC, Saket Courts, New Delhi, wherein she categorically resiled from the allegation of sexual intercourse. She stated that when the Petitioner attempted to get physically intimate with her on 21.07.2024, she refused, stating that anything would happen only after marriage, and that no physical relations were established between

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them. She further stated that she had lodged the complaint in anger and expressed that she did not wish to pursue the case. Even upon service of a notice under Section 94 BNSS by the Investigating Officer, Respondent No.2 reiterated that she did not wish to pursue the matter.

7. Chargesheet has already been filed for commission of offence under Section 69 of BNS. Subsequently, charges were framed by the learned Trial Court, and the matter is presently at the stage of Prosecution Evidence, though no prosecution witness has been examined thus far.

8. It is submitted by learned counsel for the parties that with the intervention of family members, friends and well-wishers, the Petitioner and Respondent No. 2 have entered into settlement vide a Memorandum of Understanding (MoU) dated 05.11.2026. More than two years have elapsed since the registration of the FIR, and both parties have decided to part ways peacefully and move on in their respective lives without any surviving claims or grievances against each other. In terms of Clause 6 of the MoU, both parties have also expressly undertaken not to contact, harass, threaten, defame, or interfere in each other's personal life, family, employment, or reputation, directly or indirectly, including on social media. It is in the abovesaid backdrop that quashing is being sought.

9. Respondent no. 2 is present in-person and submits that she has entered into the aforementioned MoU dated 05.11.2026 voluntarily, of her own free will, volition and without any force, fraud, coercion, undue influence. She reiterates that she has filed her No Objection Affidavit dated 05.11.2026 and has no objection if the present FIR and all consequential proceedings arising therefrom are quashed. She submits that she does not wish to continue with the present case as she intends to concentrate on her studies and a hassle-free

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future. However, since the settlement has been amicably arrived at between the parties without any force and coercion and moreover, when she is left with no grievance, and would, therefore, have 'no objection' if the present FIR is quashed.

10. This Court is cautious in exercising its inherent jurisdiction under Section 528 BNSS to quash criminal proceedings involving serious and non-compoundable offences, particularly those affecting bodily integrity and dignity, solely on the basis of a private compromise. In ***Gian Singh v. State of Punjab & Anr.***, **(2012) 10 SCC 303**, and ***Narinder Singh & Ors. v. State of Punjab & Anr.***, **(2014) 6 SCC 466**, the Hon'ble Supreme Court put forth the guiding principles for exercising inherent powers, holding that the High Court must evaluate whether the continuation of criminal proceedings would be an exercise in futility, whether the possibility of conviction is remote and bleak, and whether quashing is necessary to secure the ends of justice and prevent abuse of the process of law.

11. The Hon'ble Supreme Court, in ***Kapil Gupta v. State of NCT of Delhi & Anr.*, 2022 SCC OnLine SC 1030**, had quashed an FIR under Section 376 IPC on the basis of an amicable settlement, observing that while courts should be slow in quashing heinous offences, the stage of proceedings and the fact that the complainant does not support the prosecution case are relevant considerations, as compelling the parties to undergo a protracted trial would serve no fruitful purpose.

12. Recently, in ***Madhukar & Ors. v. State of Maharashtra & Anr.***, **2025 SCC OnLine SC 1415**, the Hon'ble Apex Court again reaffirmed that inherent powers can be invoked to quash criminal proceedings involving Section 376 IPC where a genuine compromise has been arrived at and

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continuation of the trial would amount to an empty formality.

13. More recently, In ***Santosh Rawat v. State (Govt. of NCT of Delhi) & Anr.,* 2026:DHC:3166**, a Coordinate Bench of this Court quashed an FIR registered under Section 69 BNS on the basis of an amicable settlement where the parties chose to part ways and move on in life, making the quashing conditional upon the deposit of costs of Rs. 25,000/- with Delhi High Court Staff Welfare Fund.

14. Accordingly, exercising the inherent powers vested in this Court under Section 528 of BNSS, it is deemed appropriate to quash the instant FIR. However, the quashing of the FIR must be made strictly conditional upon the deposit of costs and adherence to the undertakings given by the parties.

15. Consequently, to secure the ends of justice, the petition is allowed and the FIR No. 213/2024 dated 12.08.2024, registered at Police Station New Friends Colony, under Section 69 of BNS, along with all consequential proceedings arising therefrom, is, hereby, *quashed*, strictly subject to the condition that the petitioner shall deposit a total sum of Rs. 25,000/- as cost with Delhi High Court Staff Welfare Fund within four weeks from today. Proof of deposit of cost be filed on record.

16. The petition stands disposed of in aforesaid terms.

17. Pending application also stands disposed of.

VIMAL KUMAR YADAV, J

NOVEMBER 19, 2026/bj/ns

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