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

+ CRL.M.C. 5827/2025 & CRL.M.A. 24899/2025

PRANAV JAIN

.....Petitioner

Through: Mr. Sanjay Abbot, Ms. Vasundhra
Bakhru, Ms. Sanjana Mishra,
Advocates.

versus

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

Through: Ms. Manjeet Arya, APP for State.
Mr. Sachidanand Chaturvedi,
Advocate for R-2 with R-2 in
person.
SI Arvind Gautam, PS-DB Road.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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08.01.2026

1. By way of the present petition, the petitioner, who is the accused in proceedings arising out of FIR No. 227/2025 registered at Police Station D.B.G. Road for the alleged offence under Section 69 of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], seeks quashing of the said FIR and all proceedings emanating therefrom.

2. The FIR was registered at the instance of respondent No. 2 on 14.06.2025. The allegation against the petitioner is that he first met the complainant [respondent No. 2 herein] in October 2024 and that, from 27.12.2024 onwards, he persuaded respondent No. 2 to enter into a sexual



relationship on the false promise of marriage.

3. The allegations pertain to a period during which respondent No. 2 was approximately 28 years of age, and the petitioner was approximately 29 years of age.

4. The present petition is premised on the amicable resolution of disputes between the parties. An affidavit dated 19.08.2025, in the nature of a No Objection Certificate [“NOC”], has been filed by respondent No. 2 and annexed to the petition. In the said affidavit, respondent No. 2 states that the allegations arose out of a wrong and mistaken impression about the petitioner, which has since been clarified. She has further stated that the parties are unable to solemnise a matrimonial alliance due to opposition from their respective families.

5. The petitioner and respondent No. 2 are both present before the Court, and have been identified by their respective counsel, as well as by the Investigating Officer [“IO”].

6. Petitions seeking quashing of criminal proceedings on the ground of compromise are ordinarily not entertained in cases involving offences of heinous nature, including rape. However, the Supreme Court has held that this principle is not absolute, and the High Court must examine the facts and circumstances of each case in a holistic and judicious manner.

7. In *Kapil Gupta v. State (NCT of Delhi)* [(2022) 15 SCC 44] [hereinafter, “*Kapil Gupta*”], the Supreme Court considered the challenge to a decision of this Court declining to quash criminal proceedings, including those under Section 376 Indian Penal Code, 1860 [“IPC”], on the ground of settlement. Upon being satisfied that the settlement had been entered into voluntarily by the complainant, and after considering its



earlier judgments, including *Narinder Singh v. State of Punjab* [(2014) 6 SCC 466] [hereinafter, “*Narinder Singh*”], the Court observed as follows:

“12. It can thus be seen that this Court has clearly held that though the Court should be slow in quashing the proceedings wherein heinous and serious offences are involved, the High Court is not foreclosed from examining as to whether there exists material for incorporation of such an offence or as to whether there is sufficient evidence which if proved would lead to proving the charge for the offence charged with. The Court has also to take into consideration as to whether the settlement between the parties is going to result into harmony between them which may improve their mutual relationship.

13. The Court has further held that it is also relevant to consider as to what is the stage of the proceedings. It has been observed that if an application is made at a belated stage wherein the evidence has been led and the matter is at the stage of arguments or judgment, the Court should be slow to exercise the power to quash the proceedings. However, if such an application is made at an initial stage before commencement of trial, the said factor will weigh with the court in exercising its power.

14. The facts and circumstances as stated hereinabove are peculiar in the present case. Respondent 2 is a young lady of 23 years. She feels that going through trial in one case, where she is a complainant and in the other case, wherein she is the accused would rob the prime of her youth. She feels that if she is made to face the trial rather than getting any relief, she would be faced with agony of undergoing the trial.

15. In both the cases, though the charge-sheets have been filed, the charges are yet to be framed and as such, the trial has not yet commenced. It is further to be noted that since Respondent 2 herself is not supporting the prosecution case, even if the criminal trial is permitted to go ahead, it will end in nothing else than an acquittal. If the request of the parties is denied, it will be amounting to only adding one more criminal case to the already overburdened criminal courts.

16. In that view of the matter, we find that though in a heinous or serious crime like rape, the Court should not normally exercise the powers of quashing the proceedings, in the peculiar facts and circumstances of the present case and in order to give succour to Respondent 2 so that she is saved from further agony of facing two criminal trials, one as a victim and one as an accused, we find that this is a fit case wherein the extraordinary powers of this Court be exercised to quash the criminal proceedings.”

8. Similarly, in *Madhukar v. State of Maharashtra* [2025 SCC



OnLine SC 1415] [hereinafter, “*Madhukar*”], the Supreme Court allowed an appeal against the dismissal of a petition seeking quashing of an FIR and observed as follows:

“5. It is brought to our attention that both parties have categorically taken the stand before this Court that they have resolved their disputes amicably and are desirous of moving on with their lives. The complainant in the 2nd FIR, now married and residing with her husband, has expressed that continuation of the prosecution would cause further disruption in her personal life and that she has no wish to support the charges or pursue the matter any further.

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 482CrPC 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.

7. In the present matter, we are confronted with an unusual situation where the FIR invoking serious charges, including Section 376 IPC, was filed immediately following an earlier FIR lodged by the opposing side. This sequence of events lends a certain context to the allegations and suggests that the second FIR may have been a reactionary step. More importantly, the complainant in the second FIR has unequivocally expressed her desire not to pursue the case. She has submitted that she is now married, settled in her personal life, and continuing with the criminal proceedings would only disturb her peace and stability. Her stand is neither tentative nor ambiguous, she has consistently maintained, including through an affidavit on record, that she does not support the prosecution and wants the matter to end. The parties have also amicably resolved their differences and arrived at a mutual understanding. In these circumstances, the continuation of the trial would not serve any meaningful purpose. It would only prolong distress for all concerned, especially the complainant, and burden the Courts without the likelihood of a productive outcome.

8. Therefore, having considered the peculiar facts and circumstances of this case, and taking into account the categorical stand taken by the complainant and the nature of the settlement, we are of the opinion that the continuation of the criminal proceedings would serve no useful purpose and would only amount to abuse of process.”

9. It is against the aforesaid legal backdrop that the facts of the



present case must be examined.

10. In the FIR, respondent No. 2 alleges that she and the petitioner had been meeting for the purpose of exploring the possibility of marriage. They first met on 11.10.2024, approximately two and a half months prior to the first allegation of rape, under the false pretext of marriage. She further states that, they had been in a relationship since September 2024. She had earlier filed a complaint with the National Commission for Women, which she subsequently withdrew. However, she once again wished to proceed with the complaint. Accordingly, the FIR was registered on 14.06.2025.

11. Notably, as early as 03.07.2025, she made the following statement before the Trial Court in connection with the petitioner's bail application:

“Victim who is present through VC submits that she had sexual intercourse with ther [sic.] own consent. She further submits that her family members have not agreed for her marriage with the accused/applicant and hence she wants to file a quashing petition in the present case as she wants to concentrate on her preparation for Civil Services. She further submits that accused/applicant should be granted bail.”

Bail was consequently granted to the petitioner.

12. Pursuant to registration of the FIR, a charge-sheet has been filed. However, the charges have not yet been framed.

13. In the meantime, respondent No. 2 has filed the aforesaid affidavit dated 19.08.2025, stating that the FIR was lodged on account of a wrong and mistaken impression about the petitioner, which has since been clarified.

14. Mr. Sachidanand Chaturvedi, learned counsel for respondent No. 2, submits that she has voluntarily entered into the compromise without any



fear, pressure, or coercion. Respondent No. 2 is present before this Court and confirms this position. She states that she does not wish to pursue the criminal proceedings, which were instituted due to a misunderstanding regarding the prospect of marriage, and that the continued pendency of the case would disrupt her personal life.

15. On a consideration of the circumstances of the present case, I am of the view that the discretion of the Court can be exercised in favour of the petitioner. The parties are close in age and were exploring the possibility of a life together. The FIR appears to have been registered several months after the commencement of the relationship, due to uncertainty regarding marriage. The trial has not commenced, charges have not been framed, and respondent No. 2 is desirous of moving on with her life. I am satisfied that the NOC furnished by respondent No. 2 has been executed voluntarily. Respondent No. 2 has maintained a consistent position over the past several months, since the order dated 03.07.2025, passed a few weeks after the registration of the FIR.

16. In my view, these factors align with the judgments of the Supreme Court referred to above. In *Kapil Gupta*, the Supreme Court, while observing that courts must exercise caution in quashing proceedings involving serious offences, specifically enumerated certain factors to guide the exercise of such discretion. These include the sufficiency of material to establish the offence, the possibility of improvement in the relationship between the parties, the stage of the proceedings, and the age of the complainant. In *Madhukar*, the Supreme Court also placed emphasis on the complainant's express desire to bring the matter to an end, and to protect her from further disruption to her personal life.



Although both these cases involved cross-FIRs, I am of the view that this was one of the factors considered, and not a condition precedent for the exercise of inherent jurisdiction of the Court.

17. In the facts and circumstances of the present case, continuation of the criminal proceedings would serve no meaningful purpose, and would amount to an unnecessary diversion of prosecution and judicial resources. The possibility of conviction also appears remote.

18. Accordingly, the petition is allowed, and FIR No. 227/2025, registered at P.S. D.B.G. Road for the alleged offence under Section 69 of the Bharatiya Nyaya Sanhita, 2023, alongwith all proceedings arising therefrom, is hereby quashed.

19. The petition, alongwith the pending application, is disposed of.

PRATEEK JALAN, J

JANUARY 8, 2026

“Bhupi”/SD/