



2026:DHC:9063



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 12<sup>th</sup> October, 2026**# **CNR No. DLHC010419992026**+ **CRL.M.C. 6601/2026 & CRL.M.A. 27592/2026****TANVI RAJPUT**

.....Petitioner

Through: **Mr. Arun Singh, Advocate (through VC)**

versus

**STATE (NCT OF DELHI) AND ANR.**

.....Respondents

Through: **Mr. Sunil Kumar Gautam, APP for State****Mob: 9871349009****ASI Pawan Kumar, PS Paschim Vihar East****Mob: 9968439776****CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral):**

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), corresponding to Section 482 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking quashing of the First Information Report ("FIR") being *FIR No. 129/2021* dated 04<sup>th</sup> April, 2021, registered at Police Station ("PS") Paschim Vihar East, Outer District, Delhi, under Sections 328/379/506 of the Indian Penal Code, 1860 ("IPC"), and Section 4 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO Act"), on the ground of settlement.
2. A Chargesheet dated 03<sup>rd</sup> June, 2021, has been filed by the concerned



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Investigating Officer (“IO”) whereby, the petitioner has been charged for the offences, as stated in the aforesaid FIR.

3. Further, charges have been framed against the petitioner under only Sections 328/379/506 of the IPC *vide* order dated 11<sup>th</sup> September, 2023, passed by the Additional Sessions Judge-02, West District, Tis Hazari Courts, Delhi, in *SC 349/2021*.

4. Issue notice. Notice is accepted by learned Additional Public Prosecutor (“APP”) appearing for the State, i.e., respondent no. 1, as well as by respondent no. 2.

5. The petitioner as well as respondent no. 2 are present before this Court. They are duly identified by learned counsel appearing for the petitioner as well as the concerned IO, who is also present before this Court.

6. The captioned petition is taken up for disposal with the consent of the parties.

7. This Court is informed that the petitioner and respondent no. 2 have resolved all their disputes by executing a Memorandum of Understanding/Settlement Deed dated 10<sup>th</sup> September, 2026, whereby respondent no. 2 has agreed to cooperate in quashing of the present FIR, without any compensation or monetary transaction for the same.

8. This Court is further informed that the petitioner has already married and has a daughter of two years of age.

9. Upon interaction with this Court, respondent no. 2 submits that in view of the settlement with the petitioner, and the fact that the petitioner is now married and has a daughter, he does not wish to pursue the matter any further.

10. It is also noted that the statutory affidavits of the petitioner as well as



respondent no. 2 are on record.

11. Learned APP for the State submits that in view of the settlement between the parties, the State has no objection in the present case.

12. Having heard learned counsels appearing for the parties, this Court notes that the parties have arrived at a settlement in respect of the present matter.

13. It is well settled that High Courts may exercise their inherent powers under Section 528 of the BNSS, corresponding to Section 482 of the CrPC, to quash criminal proceedings even with respect to non-compoundable offences, if the concerned parties have arrived at a compromise or settlement, and particularly when no overarching public interest is adversely affected by quashing the same. The ultimate guiding factors in such cases must be to secure the ends of justice and prevent the abuse of the process of law.

14. In this regard, reliance is placed upon the case of *Gian Singh Versus State of Punjab and Another*, (2012) 10 SCC 303, wherein the Supreme Court has held as under:

“xxx xxx xxx

**58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.** No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes



have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.

xxx xxx xxx”

(Emphasis Supplied)

15. Considering the aforementioned judgment and the facts and circumstances of the present case, *FIR No. 129/2021* dated 04<sup>th</sup> April, 2021, registered at PS Paschim Vihar East, Outer District, Delhi, along with the proceedings emanating therefrom, are hereby quashed.

16. The pending application also stands disposed of.

MINI PUSHKARNA, J

OCTOBER 12, 2026

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