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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 1st September, 2026
CNR No. DLHC010407852026
+ **CRL.M.C. 6399/2026 & CRL.M.A. 26769/2026**
VISHAL

.....Petitioner
Through: Mr. Girish Chander, Advocate along
with petitioner in person.

versus

STATE & ANR.

.....Respondent
Through: Mr. Satinder Singh Bawa, APP for
the State with SI Mohit Kumar.
Mr. Zainab Fatma, Advocate for R-2
along with respondent No.2.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN
JUDGMENT (oral)

1. Petitioner herein seeks quashing of FIR No. 0277/2023 dated 30.05.2023, registered at Police Station Tilak Nagar, for commission of offences under Sections 363 IPC, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties. Charge-sheet has been filed and Section 376 of IPC and Section 6 of *Protection of Children from Sexual Offences, 2012 (POCSO)* have been added therein.
2. The abovesaid FIR was got registered on the basis of missing report lodged by mother of respondent No.2 herein. She claimed that she along with her children had gone to her native village on 04.03.2023. When they were returning to Delhi on 24.03.2023, at about 2:30 noon, her daughter left



them saying that she was going to ease herself but did not return. She made search for her but since there was no clue, she reported the matter to the police saying that her daughter had been enticed away by someone.

3. At the relevant time, the age of her daughter was 17 years.
4. During further investigation, the victim child was recovered and was produced before the learned Magisterial Court for recording of her statement under Section 164 Cr.P.C. In her such statement recorded on 03.07.2023 she claimed that she had eloped with Vishal (petitioner herein) and had married him on 24.04.2023. She also claimed that she was in a family way and at the advance stage of pregnancy. She also revealed that her parents were against such marriage though her sister knew about her such relationship.
5. She also claimed that she wanted to live with Vishal only.
6. Admittedly, she has already turned major.
7. The charge-sheet has been filed, *albeit*, her testimony is yet to be recorded.
8. The quashing is being sought for the reason that both the sides are living together as husband and wife since 24.04.2023. So much so, they are now having two children from such wedlock and it is in the abovesaid backdrop that the quashing is being sought. Copy of *Memorandum of Understanding* (MoU) dated 22.07.2026 has also been filed.
9. Respondent No.2 is present in person and she has been duly identified by her counsel as well as by IO.
10. When asked, respondent No. 2 reiterates that she was in love with the petitioner and had willingly accompanied him and married him. She says that she is living happily with her husband and two children and the pendency of the present petition is causing deep distress and pain and has



created apprehension in their otherwise settled family life. She claims that accused has not committed any offence and that a romantic relationship has been given a colour of criminality. She states that her such stand is based on her own free will, without any coercion and influence from any corner whatsoever.

11. The mother of respondent No.2 was also contacted through mobile phone of the I.O. and she also expressed her *no objection* if the FIR in question is quashed.

12. In *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, the Apex Court 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. Reference be made to *Gian Singh v. State of Punjab & Anr.*: (2012) 10 SCC and *Mohd. Parwej v. State*, 2026 SCC OnLine Del 1030, *Harmeet Singh v. State of GNCT Delhi & Ors.*, 2026 SCC OnLine Del 1707, *Suman Kumar v. State Govt. of NCT of Delhi and Anr.*, 2026 SCC OnLine Del 2209, *Mohd Amzad and ors. v. State of Delhi and anr.*, 2026 SCC OnLine Del 2341.

13. 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 recognize 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."

14. 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 would rather 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.

15. The present case is of the year 2023 with very bleak chance of it resulting in conviction and in view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose especially when the couple is now enjoying matrimonial bliss. Moreover, the dispute does not involve any public interest and is private in nature.

16. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIR.

17. Consequently, to secure the ends of justice, FIR No.0277/2023 dated



30.05.2023, registered at Police Station Tilak Nagar, along with all consequential proceedings arising therefrom, is, hereby, quashed. Original affidavits of the parties and MoU shall be submitted before the learned Trial Court within six weeks from today.

18. The petition stands disposed of in aforesaid terms.

19. Pending application also stands disposed of.

(MANOJ JAIN)
JUDGE

SEPTEMBER 1, 2026/ss/sk