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

% *Date of Decision: 22nd April, 2026*

+ CRL.M.C. 2895/2026 & CRL.M.A. 11808/2026 & CRL.M.A.
11809/2026

RAJAT ALARIA

.....Petitioner

Through: Mr. Akash Yadav, Mr. Tejveer and
Ms. Yashi Agarwal, Advocates
alongwith petitioner in person.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for the
State with WSI Om Yadav.
Mr. Vipin Kumar Bharti, Ms. Tanya
and Ms. Garima, Advocates.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner herein seeks quashing of FIR No. 0227/2024 dated 03.04.2024, registered at Police Station Palam Village, for commission of offence under Section 376 IPC, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. The abovesaid FIR was registered on the basis of complaint made by respondent No.2 wherein she claimed that she came in contact of the petitioner/accused through *Shaadi.com*. They exchanged their respective profiles and started meeting and dating each other. Their relationship became intimate and as per respondent No.2, accused made physical relation with her



and assured that he would marry her. However, he kept on putting of the marriage, on one pretext or the other and it was in the abovesaid factual backdrop that she was compelled to lodge a report against him with the police. She also claimed that the accused was having her photographs and had threatened that he would make her photographs viral.

3. The petitioner herein, when prayed for anticipatory bail, was granted relief by Coordinate Bench of this Court, as would be evident from order dated 15.01.2025.

4. The charges have already been framed but the prosecutrix is yet to enter entered into witness box.

5. The next date before the learned Trial Court is stated to be 17.08.2026.

6. In the interregnum, however, both the parties have entered into settlement. Copy of *Memorandum of Understanding* dated 24.03.2026 (notarized on 07.04.2026) has been placed on record.

7. Respondent no. 2 has been identified by her counsel and the Investigating Officer, who are present in Court.

8. Keeping in mind the sensitivity of the matter, the Court interacted with the parties in the chamber and during such interaction, respondent No.2 submitted that she was no longer interested in pursuing with the abovesaid FIR and wished to move on with her life. She submits that she has a settled career, and in order to maintain complete peace and stability in her life, she does not want FIR to be pursued further, in any manner whatsoever.

9. Respondent No. 2 reiterates the terms of abovesaid settlement and states that she has entered into the abovesaid settlement out of her own free will, without any coercion and influence from any corner whatsoever and therefore, she would have '*no objection*' if FIR in question is quashed.



10. Petitioner also submits that the matter has been amicably settled and criminal prosecution was on account of unfounded assumption. He submits that he is remorseful for incident in question and has apologised to prosecutrix, who has even forgiven him. He also submits that since there is now complete break-up, he would not in any manner whatsoever try to get in touch with the respondent No.2 or her family members.

11. The power of the Court under Section 528 BNSS (corresponding Section 482 Cr.P.C.) extends to quashing offences which are non-compoundable on grounds of settlement between victim/complainant and accused, however, such power is to be exercised with caution. Reference in this regard is made to *Narinder Singh & Ors. vs. State of Punjab & Anr.*, (2014) 6 SCC 466, wherein the Apex Court had 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.

12. 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 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 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.”

13. 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 it would rather only 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.

14. 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.

15. Consequently, to secure the ends of justice, FIR No. 0227/2024 dated 03.04.2024, registered at Police Station Palam Village, for commission of offence under Section 376 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed subject to petitioner depositing cost of Rs. 25,000/- in the account of *Delhi High Court Legal Services Committee* within four weeks from today. Proof of deposit of cost and original affidavits of the parties shall be submitted before the learned Trial Court within further two weeks.

16. During course of the arguments, petitioner submits that on account of some inadvertent error, his surname is mentioned as “*Alariya*” whereas his actual surname is “*Alaria*”.

17. Registry is directed to make requisite correction in the *Memo of Parties*



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and the petition and orders.

18. The petition stands disposed of in aforesaid terms.

19. Pending applications also stand disposed of.

(MANOJ JAIN)
JUDGE

APRIL 22, 2026/ss/js