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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 04th August, 2026

CNR No. DLHC010351262026

+ **CRL.M.C. 5601/2026 & CRL.M.A. 23377-23378/2026**

AASIF SAIFI

.....Petitioner

Through: Mr. Mohd. Adil and Mr. Asad Iqbal,
Advocates along with
petitioner-in-person

versus

STATE GOVT. OF NCT OF DELHI AND ANRRespondent

Through: Mr. Shoaib Haider, APP for State/R-1
with SI Priyanka Choudhary, PS NFC
Mr. Mohsin Khan and Mr. Nabi
Ahmad, Advocates for R-2 with R-2 in
person

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner herein seek quashing of FIR No. 0162/2025 dated 17.04.2025, registered at Police Station New Friends Colony, Delhi, for commission of offence under Section 67 of *Bharatiya Nyaya Sanhita, 2023* (corresponding Section 376B IPC), along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties. Later on, Sections 308/238/351/79 of *Bharatiya Nyaya Sanhita, 2023* (corresponding Sections 383/201/503/509 IPC were also added in the FIR.
2. Quashing is being sought for the reason that there is amicable settlement between petitioner and respondent No. 2.
3. They got married, earlier, as per Muslim rites and ceremonies on 07.02.2022 and as per the report lodged by respondent No. 2 with the police, they were residing separately w.e.f. 06.10.2023. According to her,



thereafter, her husband called her to a hotel where he lured her with his words and sexually assaulted her against her wishes and also promised that he would marry her after two months. She also made allegations that she was abused by her husband and was also threatened to be killed.

4. Based on such report, FIR was registered.
5. Charge-sheet has already been filed.
6. Parties have, now, entered into amicable settlement and respondent No.2, who is present in Court and who has been identified by her counsel and investigating officer, submits that she is happily living with her husband for last six months and would have no objection to the quashing of FIR. She also submits that she has entered into the abovesaid settlement out of her own free will, without any coercion and influence from any corner whatsoever.
7. 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.
8. 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.”

9. Keeping in mind the fact that respondent No. 2 is now living happily with petitioner and in view of said settlement, continuing with criminal proceedings would serve no useful purpose.

10. 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.

11. Consequently, to secure the ends of justice, FIR No. 0162/2025 dated 17.04.2025, registered at Police Station New Friends Colony, Delhi, along with all consequential proceedings arising therefrom, is, hereby, quashed.

12. Original affidavits of the parties, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial Court within four weeks from today, so that these become part of Trial Court Record.

13. The petition stands disposed of in aforesaid terms.

14. Pending applications also stand disposed of.

(MANOJ JAIN)
JUDGE

AUGUST 4, 2026/dr/sk