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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 22.09.2026***# **CNR No. DLHC010103772026**+ **CRL.M.C. 2042/2026****ANAND SINGH RAWAT****.....Petitioner**Through: **Mr. Rakesh Rajmurti, Adv.**

versus

THE STATE AND ANOTHER & ANR.**.....Respondents**Through: **Mr. Hemant Mehla, APP for State.****Mr. Pankaj Kumar Sharma, Adv. for R-2.****SI Ankit Sharma, PS Fatehpur Beri.****CORAM:****HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The petitioner, aged about 49 years, seeks quashing of FIR No.083/2022, under sections 376/506 of the Indian Penal Code, 1860 (hereinafter “IPC”) and section 6 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter “POCSO Act”), PS Fatehpur Beri, and the proceedings arising therefrom, on the basis of a compromise stated to have been arrived at with the victim on the intervention of her family.
2. The Trial is at the stage of prosecution evidence.
3. On 19.03.2026, this Court noticed that the present case is under section 376 of IPC and Section 6 of the POCSO Act and therefore could not be argued through video conferencing.
4. The allegations are of aggravated penetrative sexual assault upon a



child by a person in a position of trust or authority, punishable under sections 376/506 of IPC and section 6 of the POCSO Act. These are heinous offences which have a serious impact on society.

5. The Supreme Court in ***Gian Singh v. State of Punjab (2012) 10 SCC 303***, while recognising the power of the High Court to quash non-compoundable offences under section 482 of the Code of Criminal Procedure, 1973 on the basis of settlement between parties, clarified that this inherent power cannot be exercised in respect of heinous and serious offences of mental depravity or sexual offences. A settlement between the victim and the offender in such cases has no legal sanction.

6. Specific reference may be made to the following observations of the Supreme Court in ***Gian Singh (Supra)***:

*“61. The position that emerges from the above discussion can be summarised thus : the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. **However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on***



***society.** Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences.”*

(emphasis supplied)

7. Resultantly, the child victim or their family cannot compromise an offence under the POCSO Act. Quashing the proceedings at this stage on the basis of a compromise would defeat not only the object of the statute but also the ends of justice.
8. Accordingly, the petition is dismissed.
9. It is clarified that nothing in this order shall be construed as an expression of opinion on the merits of the case, which shall be decided by the Trial Court on the basis of evidence.

SACHIN DATTA, J

SEPTEMBER 22, 2026/cl/vk