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

+ **CRL.M.C. 1977/2026**

ROHIT SEHRAWAT

.....Petitioner

Through: Ms. Nandita Rao, Sr. Adv. with
Mr. Amit Rana, Mr. Firooz Khan,
Mr. Deepak Sehrawat, Mr. Aman,
Mr. Akash, Advocates.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP with SI
Sahil.

Mr. Irfan Firdous, Ms. Nandini
Bindoria, Mr. Vansh Choudhary,
Ms. Manmeet Kaur, Ms. Sukriti
Bajaj, Mr. Shahreyar Khan,
Advocates for R2/complainant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **13.07.2026**

CRL.M.A. 20029/2026 (for stay)

1. By way of this application, the applicant – petitioner seeks stay of further proceedings arising out of FIR No. 489/2025 dated 23.08.2025, registered at Police Station Pahar Ganj, District Central, Delhi, under Sections 376/313/506 of the Indian Penal Code, 1860 [“IPC”], pending before the Sessions Court [SC No. 347/2026], until final disposal of the captioned petition.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public



Prosecutor, accepts notice on behalf of the State. Mr. Irfan Firdous, learned counsel, accepts notice on behalf of respondent No. 2 – complainant.

3. Notice was issued in the petition *vide* order dated 18.03.2026. The present application has been filed as the Sessions Court is proceeding with the matter, and the proceedings are now at the stage of arguments on charge.

4. I have heard Ms. Nandita Rao, learned Senior Counsel for the petitioner, Mr. Vali, and Mr. Firdous.

5. The principal argument of Ms. Rao is that the complaint is vitiated by malafides. She submits that the same complainant has filed four complaints against different accused persons during the period between 2024 to 2025, making various allegations of a sexual nature. Ms. Rao has handed over a chart, which shows the nature of the four complaints and the status of each of them. The same is reproduced below:

S.No.	Details	Accused	Allegation	Status
1.	FIR No. 98/2024 dated 28.01.2024 u/s 384, 376 (2) (n) IPC, PS: Pratap Nagar, Jaipur City (East), Rajasthan. Annx B @ 32, Translated @ 37.	Pradeep Jain (Employer).	Repeated sexual misconduct during the period 2019-2024. @ Pg. 39.	Closure Report filed on 22.02.2024
2.	Complaint to S.H.O, P.S. Malviya Nagar, Jaipur, Rajasthan dated 02.08.2024. Annx D @ 54, Translated @ 58.	Sagar Sharma	Rape on false pretext of marriage during the period 2018-2024. @ Pg. 58	Settlement Agreement filed by the complainant on 10.10.2024. Annx E @ 61, Translated @ 64.



3.	FIR No. 34/2025 dated 20.01.2025 u/s 318, 351(2), 64(2)(m) BNS, PS: Mahesh Nagar, Jaipur City (South), Rajasthan. Annx C @ 42, Translated @ 48.	Rajvardhan Singh	Rape on false pretext of marriage in the year 2024. @ Pg. 50	Closure Report filed on 03.08.2025.
4.	<u>Impugned FIR</u> FIR No. 489/2025 dated 23.08.2025 u/s 376, 313, 506 IPC, PS: Pahar Ganj, Central Delhi. Annx A @ 22, Translated @ 25.	Rohit Sehrawat	Rape on false pretext of marriage during the period 2018-2023. @ Pg. 26.	-

6. It is evident from the above chart that out of the three complaints, other than the present one, two have resulted in closure reports, and the third in settlement.

7. For the present, Ms. Rao draws my attention to the allegations in the present FIR and in the complaint dated 02.08.2024 filed in Jaipur against one Sagar Sharma. She submits that, in both these cases, which cover the same period of 2018-2023, the complainant alleged that physical relations were established on the false pretext of marriage. Ms. Rao submits that it is inconceivable that the complainant would be misled by false promises of marriage from two different individuals during the same period. She has also drawn my attention to the fact that allegations of forced abortion under Section 313 of the IPC, have been made in both these cases.

8. Ms. Rao also submits that the complainant had earlier made a similar complaint against the present petitioner at Rewari, Women Police Station, which resulted in a settlement. She draws my attention to a



statement made by the complainant on 22.11.2023, in which it is stated that her relationship with the petitioner ended on 06.11.2022. It appears from the statement that the complainant undertook to break her relationship with the petitioner, not to communicate with him, and not to file any complaint against him. The present complaint was, however, filed almost two years later on 23.08.2025.

9. The complaint filed by the same complainant against Sagar Sharma before Police Station Malviya Nagar, Jaipur, has also been placed on record, which also refers to the same period from 2018. The allegation is that the complainant entered into a physical relationship on the false pretext of marriage, sometime after 2019, which carried on until July 2024.

10. In *Mahesh Damu Khare v. State of Maharashtra*¹ and *Samadhan v. State of Maharashtra and Anr.*², the Supreme Court has clarified that every romantic relationship that turns sour, even if it was originally predicated on a prospect of marriage, does not satisfy the ingredients of the aforesaid offence. Further, in *Prithvirajan v. The State Rep. by the Inspector of Police and Anr.*³, the Court has explained the ingredients of the offences of rape on the false pretext of marriage, as follows:

*“6. This Court has time and again reiterated that only because physical relations were established based on a promise to marry, it will not amount to rape. For the offence of rape to be attracted, the following conditions need to be satisfied : first, the accused promised to marry the prosecutrix solely to secure consent for sexual relations without having any intention of fulfilling said promise from the very beginning; **second, that the prosecutrix gave her consent for sexual relations by being directly influenced by***

¹ 2024 SCC OnLine SC 3471.

² 2025 SCC OnLine SC 2528.

³ 2025 SCC OnLine SC 696.



such false promise of marriage. [See : Pramod Suryabhan Pawar v. State of Maharashtra⁴; Mahesh Damu Khare v. State of Maharashtra]”

7. The instant case is one of consensual relationship between the appellant and prosecutrix. Even otherwise, it does not appear from the record that the initial promise to marry allegedly made by the appellant was false to begin with. Perusal of FIR itself suggests that the alleged promise to marry could not be fulfilled by the appellant due to intervening circumstances. Consequently, the relationship ended because of which the present FIR came to be registered. Under these circumstances, letting the appellant face trial would be nothing short of an abuse of the process of the Court. This cannot be permitted.”⁵

11. *Prima facie*, where allegations of this nature are made against two persons in respect of a sexual relationship which covers the same period, it raises a doubt as to whether the complainant could have been acting on the basis of the promise of marriage made by two different individuals.

12. Accordingly, for the present, the proceedings before the Sessions Court will remain stayed, subject to further orders in the captioned petition.

13. List this application, alongwith the captioned petition, on the date fixed, i.e. 05.10.2026.

PRATEEK JALAN, J

JULY 13, 2026

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⁴ (2019) 9 SCC 608.

⁵ Emphasis supplied.