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

+ **CRL.M.C. 517/2025**

PRASHANT GUPTA

.....Petitioner

Through: Mr. Vinay Upadhayay, Adv. with
Petitioners i.e., Mr Pashant Gupta,
Mr. Rajendra Prasad Gupta and Mrs.
Manju Gupta.

versus

STATE GOV.T OF NCT OF DELHI

.....Respondent

Through: Mr. Hitesh Wali, APP for State with
SI Vaibhav Singh, PS-Sarita Vihar.
Ms. Shilpa Sharma, Mr. Narender
Singh, Advs for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

25.03.2025

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1. The present petition is filed under Section 482 Cr.P.C. (Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023) for quashing of F.I.R. No. 423/2018 dated 31.12.2018 registered at PS Sarita Vihar for the offences punishable under Sections 498A/406/34 IPC and all the consequential proceedings emanating therefrom.
2. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 26.11.2016 as per Hindu rites and ceremonies and no child was born from the wedlock.
3. Due to matrimonial differences between petitioner no. 1 and the



respondent no.2, the parties started residing separately from 10.07.2018. Subsequently, the respondent no.2/complainant lodged an FIR bearing no. 423/2018 against petitioner no.1 (husband), petitioner no. 2 (father-in-law) and petitioner no. 3 (mother-in-law).

4. On 28.09.2024, the parties arrived at a settlement and as per the said Settlement Deed, petitioner no.1/husband has agreed to pay an amount of Rs. 85,00,000/- to the respondent no.2/wife towards full and final settlement of all her claims including *istridhan*, permanent alimony and maintenance - present, past and future. As per the Settlement Deed dated 28.09.2024, it is agreed between the parties that petitioners shall disburse Rs.85 Lakhs to respondent no.2 in the manner as under:-

“3. That it has been mutually agreed that a sum of Rs. 85,00,000/- (Rupees Eighty five

Lacs only) shall be disbursed to the First Party(Wife) as under:

(a) Rs. 10,00,000/- (Rupees Ten Lacs Only) vide Demand Draft(DD) No. 551502 of Bank - UNION BANK OF INDIA, Kotah dated 24.09.2024 at the time of signing this instant settlement Deed.

(b) Rs. 25,00,000/- (Rupees Twenty-Five Lacs Only) vide Demand Draft (DD) before the Hon' ble Family Court, South-East District, District Court Saket, Delhi at the time of recording of the Joint statement of First Motion of Divorce by mutual consent and the said joint petitions of divorce by mutual consent shall be filed by both the parties in the month of October, 2024 or earliest possible.

(c) Rs. 25,00,000/- (Rupees Twenty-Five Lacs Only) vide Demand Draft (DD) before the Hon"ble Family Court, South-East District, District Court Saket, Delhi at the time of recording of the Joint statement of Second Motion of Divorce by mutual consent and the said joint petitions of Second Motion of divorce by mutual consent shall be filed by both the parties at the earliest as per law.

(d) Rs. 25,00,000/- (Rupees Twenty-five Lacs Only) vide Demand Draft (DD) before the Hon'ble High Court of Delhi at the time of quashing of FIR No. 423/2018 under Section 34/377/498N406 IPC of P.S. Sarila Vihar, Delhi before the Hon'ble High Court at Delhi. Quashing petition to be filed in Hon'ble High Court of Delhi immediately after the disposal of Second motion mutual consent divorce petition.”



5. It has been submitted that petitioner no.1 and respondent no.2 have obtained divorce by mutual consent. In terms of the said settlement, the marriage between the parties stands dissolved by a decree of divorce dated 19.10.2024, passed by the Court of Shri Kuldeep Narayan, Judge, Family Court-02 (South-East), Saket Courts, New Delhi.

6. The petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as by the Investigating Officer, SI Vaibhav Singh, PS Sarita Vihar.

7. The complainant/respondent No.2 states that the matter has been settled with the petitioners and that all the terms of the Settlement Deed have been complied with. The complainant/respondent No.2 states that she has received the entire settlement amount of Rs.85 Lakhs from the petitioners. She has filed her affidavit in this regard stating that she has no objection if the F.I.R. bearing no.423/2018 PS Sarita Vihar and the proceedings emanating therefrom are quashed and the petitioners are discharged/acquitted by the Court.

8. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR bearing no. 423/2018 is quashed.

9. In **Gian Singh v. State of Punjab**, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the



above questions) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding."

10. As per settlement, the parties have agreed to withdraw all complaints cases filed by them against each other. Respondent No.2 agreed to cooperate with the petitioners in the quashing of F.I.R. No.423/2018.

11. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR bearing no. 423/2018 dated 31.12.2018 registered at PS Sarita Vihar for the offences punishable under Sections 498A/406/34 IPC and all other consequential proceedings emanating therefrom. It has been submitted that subsequently the charge sheet was filed under Sections 498A/406/377/34 IPC against the petitioners.

12. In the interest of justice, the petition is allowed, and the FIR bearing no. 423/2018 dated 31.12.2018 registered at PS Sarita Vihar for the offences punishable under Sections 498A/406/34 IPC and all other consequential proceedings emanating therefrom, including the chargesheet pending before the learned trial court is hereby quashed.

13. Petition is allowed and disposed of accordingly.

14. Pending applications, if any, also stand disposed of.

RAVINDER DUDEJA, J

MARCH 25, 2025

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