



\$~42

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

+ CRL.M.C. 2636/2025, CRL.M.A. 11828/2025

SMT. MALA GUPTA AND ANRPetitioners

Through: Mr. Ankit, Advocate with Petitioners.
versus

STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Shoaib Haider, APP for the State
with SI Radha Sharma, PS
CWC/Nanak Pura.
Respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **05.08.2025**

1. Petition under Article 227 of the Constitution of India, 1950 read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*) and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the Petitioners for quashing of FIR No. 43/2019 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Crime (Women) Cell Nanak Pura and all the consequential proceedings emanating therefrom, in terms of the Settlement Deed dated 09.01.2025.
2. Issue Notice.
3. On advance Notice, learned APP has appeared and accepted the Notice on behalf of the State.
4. Brief facts of the case are that the Petitioner No. 1 is the mother-in-law of the Respondent No. 2/Complainant. The marriage was solemnized



between the son of the Petitioner No. 1, namely, Mr. Amit Gupta (expired on 17.07.2020) and the Respondent No. 2/wife on 20.06.2011, according to the Hindu rites and ceremonies and no child was born out of the said wedlock. Late Mr. Amit Gupta and the Respondent No. 2 started living separately from each other since 10.11.2018.

5. On the Complaint of the Respondent No.2/Complainant, FIR No.43/2019 under Section 498A/406/34 IPC, got registered at Police Station Crime (Women) Cell Nanak Pura.

6. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioners. It is stated that the Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement vide Memorandum of Settlement (MOU) dated 09.01.2025. In the Settlement, it was inter alia settled between the parties that the Petitioner No.1/mother-in-law shall pay a sum of Rs.6,50,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, balance istridhan and alimony of the Respondent No. 2, in three instalments. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.3,00,000/- to Respondent No. 2 on withdrawal of Civil Suit No. CS SCJ/764/2020 of learned Civil Judge, West Tis Hazari Courts, Delhi; the second instalment of Rs.1,75,000/- shall be paid by the Petitioner No.1 to the Respondent No. 2, on the withdrawal of Complaint Case bearing MC/10/2023 of learned Mahila Courts, West, Tis Hazari Courts, Delhi and the third instalment of Rs.1,75,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2, at the time of quashing the aforesaid FIR. It is also submitted that both the parties shall not file any litigation in future qua the marriage, inheritance,



property, bank accounts, claims or any other disputes arising out of the wedlock in any court of law.

7. Today, the Petitioner No. 1 has handed over a Demand Draft of Rs.1,75,000/- bearing No. 182860, dated 25.07.2025, drawn from Union Bank, Nangloi, New Delhi, in faovur of Soni, to the Respondent No. 2. The Complainant is present in the Court and states that she has received all amounts due to her and has no objection if the said FIR is quashed.

8. Both the parties have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

9. Considering the nature of the allegations and that they have settled the matter, the FIR No.43/2019 under Section 498A/406/34 of IPC registered at Police Station Crime (Women) Cell Nanak Pura and all the consequential proceedings emanating therefrom are quashed.

10. The Petition is disposed of accordingly. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 5, 2025/RS