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

+ **W.P.(CRL) 1756/2024, CRL.M.A. 17095/2024**

VICTIM J

.....Petitioner
Through: Adv S. K. Srivastava. Adv Shubhi
Srivastava. Adv Prince Kumar. Adv
Garima Singh, Advocates.

versus

GOVT OF NCT OF DELHI THROUGH ITS CHIEF SECRETARY
.....Respondent
Through: Mr. Yasir Rauf Ansari, ASC for
State.
Mr. Nimish Chib, Mr. Pushkin
Chaudhary, Advocates for R-4.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **17.10.2025**

1. A Writ Petition under Article 226 of Constitution of India read with Section 482 Cr.P.C has been filed on behalf of the Petitioner, wherein essentially two prayers were made; one was of transfer of FIR No.660/21 pending the Karkardooma Courts to Rouse Avenue Courts.
2. Respondent No.4 Aakash Verma has died and his Legal Heirs have not been brought on record. Furthermore, it is submitted that the trial in FIR No.660/2021 already stands transferred. The Prayer No.1 has, therefore, been satisfied.
3. The second prayer made in the Writ Petition is that the Order made on



26.03.2024 of learned Principal Judge, Family Courts, North East, Delhi dated 26.03.2024 to issue the directions that the right of minor child be protected and the consent to the family Settlement dated 23.04.2024 had been obtained by coercion. Even though, the written arguments submitted by the Petitioner continued to be on record in Execution Petition No.581/2023 and 563/2023.

Submissions heard and record perused.

4. Currently, as is evident from the Order dated 26.03.2024 in the two Execution Petitions, the Settlement Agreement dated 23.03.2024 was filed on the basis of which the two Execution Petitions were disposed of by observing that she has agreed to forego the rights of the child from the parties.

5. In so far as the rights of the child are concerned, it is the settled by the Apex Court in the case of Ganesh vs. Sudhirkumar Shrivastava (2020) 20 SCC 787 that the rights of the child cannot be compromised matrimonial litigation. It is hereby clarified that the Settlement qua forfeiting the rights of the child are against the law and the child is at liberty to pursue his right in accordance with law.

6. Another prayer is made by the learned counsel for the Petitioner that the Petitioner intends to challenge the Settlement dated 23.03.2024 on the ground that it has been obtained with force and under duress and coercion. However, the said prayer cannot be decided in the present Writ Petition, more so, when the Respondent No.4 has already died.

7. The Petitioner is at liberty to approach the appropriate Forum in accordance with law to challenge the Settlement dated 23.03.2024.



8. The Petition stands disposed of along with the pending Application(s).

NEENA BANSAL KRISHNA, J

OCTOBER 17, 2025/va