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

\+ CRL.M.C. 6896/2023, CRL.M.A. 25779/2023 & CRL.M.A. 33622/2023

RITA GUPTA .....Petitioner

Through: Mr.Parth Sharma and Mr.Ankur, Advocates with petitioners in person (through VC)

versus

STATE AND ORS .....Respondents

Through: Mr.Sanjeev Sabharwal, APP for the State alongwith SI Satish Kumar, P.S.-Mangol Puri
Mr.Wattan Sharma and Mr.Sarthak Sachdev, Advocates for R-2 to 4 along with respondent no. 2 (through VC).

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

O R D E R

% 06.08.2025

1. The petitioner is before this Court challenging an order dated 15.09.2021 passed by learned Sessions Court in Criminal Revision No. 104/2021, whereby, the said revision petition was dismissed. Assailed herein also is an order dated 07.10.2021 passed by the learned MM, Rohini Courts, Delhi, whereby the concerned SHO was directed to register an FIR on the allegation that petitioner forcefully caused the miscarriage of respondent no.2/complainant. The order passed by the learned MM was upheld in the revision petition, ibid.

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2. The dispute and misunderstanding had in fact arisen out of matrimonial acrimony between son of the petitioner and her daughter in law/respondent no.2 herein. Be that as it may, subsequently, the matrimonial dispute was settled amicably.

3. Since the present proceedings, more or less, arise out of the same dispute, based on certain misunderstandings, compromise quashing of the impugned orders is sought herein. During the relevant time the parties were nurturing hostilities against each other and there was a complete trust deficit.

4. Pursuant to amicable settlement, a cross FIR lodged by the respondent No.2 against the petitioner and her son (husband) has already been quashed vide an order dated 28.07.2025 in CRL.M.C. 2135/2025. For ease of reference, the said order reads as under:-

> *"1. Quashing of an FIR No. 974/2023 dated 28.09.2023, registered at Police Station Mangolpuri, Delhi under Sections 328/506 of IPC, along with all proceedings arising therefrom is sought herein on the basis of a family settlement deed dated 17.01.2025 arrived between the petitioners and Respondent No. 2.*
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> *2. Learned counsel for the petitioners submits that the dispute emanated from a familial discord between Petitioner No. 1 (daughter-in-law) and the family of Respondent No. 2 (mother-in-law). It is further submitted that all disputes, including those constituting the subject matter of the impugned FIR, have been amicably resolved between the parties.*
>
> *3. Respondent No. 2, present in person and identified by the Investigating Officer, affirms that the matter has been settled in terms of the settlement deed dated 17.01.2025 without any element of coercion, threat, or undue influence. She further states that she has no objection to quashing of the FIR and is not inclined to support the prosecution of the petitioners.*
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> *4. The Investigating Officer confirms that the charge sheet*

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has not yet been filed in the present case. The IO has also verified the identity of the parties and the authenticity of the settlement deed.

5. On perusal of the record, including the settlement deed and the statements of the parties recorded before this Court, it is evident that the settlement has been arrived voluntarily, and its terms have already been partly acted upon.

6. Having interacted with the complainant and given that dispute appears to be entirely family matter not involving either public interest or societal interest, it would be an exercise in futility to continue with the further criminal proceedings. It would amount to an abuse of the process of law, apart from imposing a heavy burden on the judicial system as well as wasteful expenditure of the public by the prosecution.

7. The genuineness of compromise is not in dispute. However, since the trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped. Reference in this context may be had to judgment rendered in the case of Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 3031.

8. Taking a wholesome view and in order to let the parties to enjoy mutual cordiality and the family bonhomie, which will go long way to establish peace rather than promote hostility in case further proceedings continue, this is a fit case to exercise inherent power under 528 of BNSS in quashing the FIR in question.

9. Accordingly, the petition is allowed. The FIR No. 947/2023 dated 28.09.2023 registered at Police Station Mangolpuri, Delhi, for the offences punishable under Sections 328/506 IPC along with all consequential proceedings arising therefrom are hereby quashed.

10. All pending application(s), if any, shall also stand disposed of."

5. The aforesaid order reflects that the settlement between the parties is not disputed. On a Court query, learned counsel for the respondent No.2 to

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4, under instructions from respondent No.2 to 4, who have also joined proceedings through VC and have been identified by their counsel, does not oppose setting aside of the impugned orders in view of the settlement.

6. In the premise, I am of the view that further proceedings pursuant to the impugned orders, therefore, would be an abuse of process of law. Thus, taking a wholesome view of the matter and in order to let the parties to enjoy mutual cordiality and the family bonhomie, which will go long way to establish societal peace rather than promote hostility in case further proceedings continue, this is also a fit case, as ibid, to exercise inherent power under 528 of BNSS for quashing the impugned orders.

7. Accordingly, the petition is allowed and the impugned orders dated 15.09.2023 and 07.10.2021, are hereby, set aside.

8. The petition along with pending applications stand disposed of.

ARUN MONGA, J

AUGUST 6, 2025
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