



2025:DHC:5320



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 07.07.2025

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CRL.M.C. 4356/2025

SUMIT KUMAR GUPTA & ORS.

.....Petitioners

Through: Mr. Vinod Yadav and Mr.
Shubham Aggarwal, Advs.
along with petitioners.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP for
State with SI Pooja Saraswat,
PS Tigri.

CORAM:**HON'BLE MS. JUSTICE SHALINDER KAUR****SHALINDER KAUR, J (ORAL)****CRL.M.A. 18965/2025 (Exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek the quashing of FIR No. 41/2021 dated 02.02.2021 for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Tigri, Delhi ("subject FIR") and all consequential proceedings emanating therefrom.
4. The learned counsel for the petitioner submits that the petitioner no. 1 is the husband of respondent no. 2 and their marriage was



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solemnized on 18.04.2019, in accordance with the Hindu rites and customs, and no child is born out of the said wedlock. He submits that due to irreconcilable and temperamental differences, the marriage of the petitioner no. 1 and respondent no. 2 suffered an irretrievable breakdown. The incompatible behaviour of the parties, conduct and temperamental differences, coupled with increasing harassment and raising demands of dowry led to the registration of the subject FIR and filing of litigation by the respondent no. 2.

5. He further submits that during the pendency of the litigation, the parties were referred to the Mediation Centre at Saket Courts, New Delhi, wherein, with the intervention of the family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of their disputes and that no further dispute subsists in relation thereto. Furthermore, the divorce by way of mutual consent has also taken place between the parties *vide* the divorce decree dated 01.02.2025 passed by the learned Principal Judge, Family Court, South District, Saket Courts, Delhi.

6. The present petition is premised on the aforesaid assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Mediation Settlement Deed dated 30.07.2024 had been duly executed between the parties. In furtherance thereof, the parties agreed that the petitioner no.1 will pay a consolidated sum of Rs. 4,00,000/- to the respondent no. 2 towards full and final settlement of all claims arising out of the present



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marriage which shall include permanent alimony, maintenance (past, present & future), *stridhan* and all other miscellaneous expenses. The respondent No.2 has further agreed to withdraw all the cases upon the payment of settlement amount. The said Mediation Settlement Deed outlining the terms of settlement has been placed on record.

7. Pursuant to this settlement, the parties appeared before this Court, wherein, the Investigating Officer has identified the parties and has confirmed that they are abiding by the terms of the Settlement.

8. The complainant/respondent no. 2, who is present before this Court, upon being queried, confirms that the Mediation Settlement Deed dated 30.07.2024 has been entered into by the parties out of their own volition, uninfluenced by any coercion, compulsion or undue inducement. She further confirms that in terms of the Mediation Settlement Deed, she has received the entire settlement amount *vide* demand drafts, in full and final settlement of all her claims, towards maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc. The respondent no. 2 also confirms that the marriage has been dissolved *vide* the divorce decree dated 01.02.2025. Furthermore, she has no objection to the quashing of the subject FIR, and all consequential proceedings arising therefrom are quashed.

9. In view of the foregoing, the learned counsel appearing on behalf of the parties, jointly prayed for quashing of the subject FIR.

10. The learned APP, appearing on behalf of the state, submits that the State has no objection if the subject FIR and all consequential



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proceedings arising therefrom are quashed.

11. In view of these circumstances, and having regard to the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.***: (2012) 10 SCC 303 and also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.***: (2014) 6 SCC 466, and in view of the fact that the parties have amicably resolved their disputes voluntarily and without any coercion, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the MoU between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties. Accordingly, in the interest of justice, the subject FIR and all proceedings emanating therefrom deserve to be quashed.

12. In conspectus of the above facts and the Mediation Settlement Deed dated 30.07.2024, the subject FIR bearing No. 41/2021 dated 02.02.2021 for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 registered at Police Station Tigri, Delhi and all consequential proceedings emanating therefrom, are hereby quashed.

13. Accordingly, the petition, along with the pending applications, stands disposed of.

SHALINDER KAUR, J

JULY 7, 2025/ss/kp

[Click here to check corrigendum, if any](#)