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

+ CRL.M.C. 4590/2025, CRL.M.A. 19966/2025

HARI OM GUPTA @ DEEPAK & ORS.Petitioners

Through: Mr. S.K. Dayal and Ms. Deepika
Tiwari, Advocates.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Hemant Mehla, APP for State
Mr. Shubhanshu, SI, PS-Kalyanpuri.
Mr. Sameer Ahmed, Advocate for R-
2.

+ CRL.M.C. 2700/2025, CRL.M.A. 12110/2025, CRL.M.A.
15450/2025

SH HARI OM GUPTA & ORS.Petitioners

Through: Mr. S.K. Dayal and Ms. Deepika
Tiwari, Advocates.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Mukesh Kumar, APP for State
with Mr. Shubhanshu, SI, PS-
Kalyanpuri.
Mr. Sameer Ahmed, Advocate for R-
2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
15.07.2025

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1. The present petitions filed under Section 482 of the Code of Criminal



Procedure, 1973¹ (now Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023²), seek quashing of the following FIRs:

(i) In CRL.M.C. 2700/2025- FIR No. 138/2024 under Sections 498A/406/34 of the Indian Penal Code, 1860,³ registered at P.S. Kalyanpuri; and

(ii) In CRL.M.C. 4590/2025- FIR No. 394/2022 under Sections 354/354(B)/323/506/34 of the IPC, registered at P.S. Kalyanpuri.

2. The aforementioned FIRs were registered on the complaint of Respondent No. 2 against her husband and her in-laws. FIR No. 394/2022 was registered on 20th April 2022, in which the Complainant alleged harassment by her father-in-law. She made specific allegations concerning an incident during which, in the absence of her husband and mother-in-law, her father-in-law restrained her, forcibly removed her clothes and touched her private parts. It was further alleged that when the Complainant reported the incident to her mother-in-law, she was physically assaulted by her. Consequently, pursuant to the Complainant's statement, FIR No. 394/2022 came to be registered.

3. Subsequently, the Complainant filed another complaint alleging that she was subjected to cruelty by the Petitioners, culminating into the registration of FIR No. 138/2024 on 14th February, 2024.

4. The present petitions have been filed seeking quashing of the aforesaid FIRs pursuant to a settlement agreement dated 5th November, 2024 executed between the parties before the Delhi Mediation Centre, Karkardooma Courts. As per the terms of the settlement, the Petitioners

¹ "CrPC"

² "BNSS"

³ "IPC"



agreed to pay a total sum of INR 21 lakhs to the Complainant. Out of this amount, INR 14 lakhs has already been paid. As for the remaining balance, the Petitioners have presented a demand draft of INR 7 lakhs before the Court, which the Complainant is willing to accept and is agreeable to the quashing of the FIR.

5. However, upon an examination of the contents of FIR No. 394/2024, this Court is of the considered view that the allegations enumerated therein are of a grave and serious nature. When specifically queried by the Court regarding the veracity of the allegations contained within the FIR, Respondent No. 2 admitted, *“they are largely correct.”* In light of the seriousness of the allegations detailed in FIR No. 394/2024, coupled with Respondent No. 2’s admission of their veracity, the Court is of the considered view that, in matters of such considerable gravity, a settlement agreement between the parties cannot be regarded as a conclusive or overriding basis for quashing the FIR.

6. At this juncture, counsel for the Petitioners states that he would like to withdraw the present petitions.

7. Dismissed as withdrawn. The pending applications are also disposed of.

SANJEEV NARULA, J

JULY 15, 2025

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