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

+ **CRL.M.C. 5344/2025**

SANJAY GUPTA AND ANR.

.....Petitioners

Through: Mr. Atul Sharma and Mr. Deepak
Yadav, Advs.

Petitioners in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Satish Kumar, APP for State with
Mr. Bhuman Bansal and Ms. Divya Bakshi, Advs.

SI Rohit Sagar, PS Shakarpur

Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

02.12.2025

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC")] has been filed by the petitioners praying for quashing of FIR No.94/2017, registered at Police Station – Shakarpur on 04.03.2017, for offences punishable under Sections 376/109/354/328/506/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that respondent no. 2 got married to petitioner no.1 on 11.11.2016. Few days later, petitioner no. 1 started intoxicating respondent no.2 with sleeping pills. One night, respondent no.2 pretended to take the pills and found out that her brother-in-law, the petitioner no.2, was raping her. Upon attempting to raise an alarm, she was



threatened that if she told anyone about this they would get her brothers killed. She did not tell anyone about the incident out of fear. Thereafter, on 23.11.2016, respondent no.2 was teased and molested by Vijay (now deceased), who was also the brother-in-law of respondent no.2. Hence the present FIR.

3. Learned counsel for the petitioners submits that chargesheet has already been filed against the petitioners. It is further submitted that the petitioners and respondent no. 2 have amicably settled their disputes and are desirous of leading a peaceful and harmonious life.

4. A mutual settlement deed has been executed between the parties in the month of January, 2025, which is on record and annexed as “Annexure-E”. In terms thereof, respondent no. 2 has agreed to withdraw the case arising out of FIR No. 94/2017, registered at Police Station – Shakarpur against the petitioners.

5. A divorce decree under Section 13B (1) and under Section 13B (2) of the Hindu Marriage Act, 1955 dated 03.01.2023 was passed by the Court concerned and has been annexed as “Annexure D” to the petition.

6. Learned counsel for the petitioners submits that the petitioners have paid the agreed upon settlement amount to respondent no.2.

7. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise.

8. Learned APP for the State, who appears on advance notice, accepts notice and objects to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

9. Heard learned counsel for the parties and perused the record.



10. The petitioners are present before this Court and have been identified by their counsel and Investigating Officer, Police Station – Shakarpur. Respondent no. 2 is also present in the Court and has been identified by the counsel and the Investigating Officer.

11. Upon a query put forth by this Court, respondent no.2 has categorically stated that she has entered into the compromise of her own volition and without any coercion or undue influence. It has further been stated that the entire dispute stands amicably resolved between the parties. She affirmed that the said settlement has been arrived at for securing her future and, as a matter of prudence, the parties have decided to put a quietus to the present proceedings. Respondent no.2 also submits that she is looking ahead and taking steps to rebuild and move on with her life, and that the allegations were primarily levelled against her other brother-in-law, Vijay, who is now deceased.

12. Keeping in view the fact that the matter stands amicably settled between the petitioners and respondent no. 2 without any pressure, no fruitful purpose would be served by keeping the matter pending.

13. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

14. Hence, in light of the judgment of the Hon'ble Supreme Court passed in *Gian Singh v. State of Punjab (2012) 10 SCC 303*, FIR No.94/2017, registered at Police Station – Shakarpur for the offences punishable under Sections 376/109/354/328/506/34 of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioners.



15. The petition along with pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

DECEMBER 2, 2025/AS/av