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

+ CRL.M.C. 6155/2025

SUMIT SHARMA & ORS.

.....Petitioners

Through: Mr. Abhishek Sisodia and Mr. Gaurav
Sisodia, Advs. along with the petitioners in person

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Raj Kumar, APP for State with SI
Sohan Lal and SI Nitesh, PS K. M. Pur
Mr. Anurag Sharma and Mr. Atul Nagar, Advs. for
R-2 along with the respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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23.09.2025

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. 310/2021 registered at Police Station Kotla Mubarakpur, for offences punishable under Sections 323/354/354B/506/34 of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that the petitioners and respondent no. 2 are relatives through respondent no. 2's late husband. During the pendency of the case, the petitioners and respondent no. 2, owing to intervention of



common friends, respectable persons and well-wishers, have settled their disputes.

3. Learned counsel for the petitioners submitted that Memorandum of Understanding dated 11.08/2025 is on record and has been annexed as Annexure-B. *Qua* this MOU, the respondent no. 2 has agreed to withdraw the case arising out of FIR No. 310/2021 registered at Police Station Kotla Mubarakpur against the petitioners.

4. At this juncture, petitioner no. 1 has handed over a Demand Draft bearing No. 498662 for the amount of ₹ 4,50,000/- in the name of respondent no. 2 today in the Court in terms of the MOU. Respondent no. 2 has verified the particulars of the Demand Draft to her satisfaction and stated them to be correct. It is further stated by respondent no. 2 that she received the entire amount as per the terms of the MOU.

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

6. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

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

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

9. On a query made by this Court, respondent no. 2 has categorically stated that she has entered into compromise on her own free will and without



any pressure. It is also stated by her that the entire dispute has been amicably settled between the parties.

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

11. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab* (2012) 10 SCC 303**, FIR no. 310/2021 registered at Police Station Kotla Mubarakpur, for offences punishable under Sections 323/354/354B/506/34 of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioners.

12. It is made clear that any portions of the MOU attempting to decide the rights of respondent no. 2's two minor children shall not be decisive, and shall not preclude them, in any manner whatsoever, from pursuing appropriate remedies in law with respect to their late father's property, upon their attaining the age of majority.

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

AJAY DIGPAUL, J

SEPTEMBER 23, 2025

gs/av