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

+ **CRL.M.C. 188/2026, CRL.M.A. 707/2026**

SH RAHUL GUPTA & ORS.

.....Petitioners

Through: Ms. Meenakshi Gupta, Advocate
with petitioners in person (through
VC).

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi, Advocate with SI
Lal Chand, PS: S.B. Dairy
Advocate (appearance not given)
with respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

09.01.2026

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1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the petitioners seek quashing of FIR No.944/2017 dated 28.12.2017 registered under *Section(s) 498A/ 406/ 34* of the Indian Penal Code, 1860 (**IPC**) at PS: Shahbad Dairy, Delhi, and all proceedings emanating therefrom, in view of the Settlement Agreement dated 12.11.2024 [**Annexure- C**], arrived at between the petitioners and the respondent no.2.

2. The present petition is also accompanied by the Divorce Deed by mutual consent dated 06.06.2025 passed under *Section 13-B(2)* of the Hindu Marriage Act, 1955 [**Annexure-D**], as well as the respective affidavits of all the petitioners and respondent no.2, alongwith their proofs



of identity.

3. Issue notice.

4. Learned APP for the State accepts notice, and submits that he has no objection to the quashing of the aforesaid FIR No.944/2017 dated 28.12.2017.

5. Respondent no.2, present in Court, also accepts notice and confirms that she and petitioner no.1 have executed a Divorce Deed by mutual consent on 06.06.2025. She further affirms the Settlement Agreement entered between the petitioners and the respondent no.2 on 12.11.2024 whereby the petitioner no.1 has already paid her a total sum of Rs.5,00,000/- as full and final settlement of all her claims including alimony, maintenance (present, past and future), stridhan, etc. As such, she states that she has no objection to the quashing of the FIR No.944/2017 dated 28.12.2017.

6. Further, the petitioners and the respondent no.2, present in Court, as well as their credentials, as on record, have been identified by the Investigating Officer.

7. In view of the fact that a settlement has already been arrived at between the parties, they shall remain bound by all the terms and conditions contained therein. As such, following the law laid down by the Hon'ble Supreme Court in ***Jitendra Raghuvanshi & Ors. vs. Babita Raguvanshi & Anr. (2013) 4 SCC 58***, ***Gian Singh vs. State of Punjab & Anr. (2012) 10 SCC 303*** and ***Narinder Singh & Ors. vs. State of Punjab & Anr. (2014) 6 SCC 466***, this Court is of the opinion that continuation of the aforesaid FIR No.944/2017 dated 28.12.2017 will be an exercise in futility.



8. Accordingly, the present petition is allowed and the FIR No.944/2017 dated 28.12.2017 registered under *Section(s) 498A/ 406/ 34* IPC at PS: Shahbad Dairy, Delhi and all proceedings emanating therefrom are hereby quashed.

9. Accordingly, the petition alongwith pending application is disposed of.

SAURABH BANERJEE, J

JANUARY 9, 2026/So