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

+ CRL.M.C. 372/2026 and Crl.M.A. No. 1411/2026

MR GAURAV SHARMAPetitioner

Through: Mr.Arpit Rai, Advocate

versus

SHRUTI GUPTARespondents

Through: Mr.Kshitij, Advocate

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **13.02.2026**

1. The present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, is directed against an order dated 26.11.2025, passed by the Family Court, by which warrants of arrest have been issued against him in connection with execution proceedings arising out of an order of maintenance in favour of his wife [respondent herein].
2. Pursuant to order dated 12.02.2026, Mr. Kshitij, learned counsel for respondent, has entered appearance.
3. The petition is taken on board with the consent of both parties.
4. Learned counsel for the parties confirm that by an order dated 02.02.2026 passed by the Judicial Magistrate First Class, Saket Courts, in CT Case No. 735/2023, the parties have settled the dispute. A copy of the said order has been handed up in Court, and is taken on record. It provides for payment of a sum of Rs. 22,50,000/- by the petitioner herein



to the respondent in full and final settlement of all claims. The schedule of payment is as follows:

“(i) The first installment of Rs.7,00,000/- (Rupees Seven Lakh only) shall be paid by respondent /husband to the complainant/wife by way of demand draft/RTGS/bank transfer in the name of complainant/wife at the time of recording of statement of the parties towards first motion for divorce by way of mutual consent which shall be filed on or before 13.03.2026.

(ii) The second installment of Rs.7,00,000/- Rupees Seven Lakh only) shall be paid by respondent /husband to the complainant/wife by way of demand draft/RTGS/bank transfer in the name of complainant/wife at the time of recording of statement of the parties towards second motion for divorce by way of mutual consent which shall be filed on or before 30.05.2026 after moving a joint application seeking waiver of cooling off period.

(iii) The third and final installment of Rs.8,50,000/- (Rupees eight Lakh Fifty Thousand only) shall be paid by respondent/husband to the complainant/wife by way of demand draft/RTGS/bank transfer in the name of complainant at the time of recording statement of both the parties before the Hon’ble High Court of Delhi at the time of filing of quashing petition of the FIR No. 187/2024, PS Malviya Nagar, which shall be filed preferably before 25.07.2026 for within 45 days of receiving the certified copy of divorce by way of mutual consent from the concerned Court. The complainant/wife agrees to fully cooperate with respondent/husband in filing the quashing petition

(iv) Complainant/wife agrees to withdraw execution petition pending before the concerned court after receiving 1st instalment from respondent/husband and respondent/husband undertakes to withdraw cases/application/petition filed by him against complainant before the Hon’ble High Court of Delhi. The parties also undertake to withdraw their respective remaining cases filed against the other once decree of divorce by way of mutual consent is received from concerned Court.”

5. In view of the above settlement, learned counsel for the parties agree that the respondent herein will withdraw the execution proceedings from which the present petition arises, on the next date of hearing, i.e. 06.03.2026. However, the withdrawal will be subject to the petitioner complying with the terms of settlement. In the event of non-compliance, it will be open to the respondent to seek revival of the proceedings before



the Family Court.

6. By order dated 15.01.2026, this Court had directed that warrants of arrest issued against the petitioner would not be executed until the next date of hearing. That order continues to hold the field. As the parties have agreed to settle the matter, the warrants are set aside, with the consent of learned counsel for the parties. Needless to say, if the proceedings are revived in the event of non-compliance, fresh warrants may be issued by the Family Court.

7. The petition stands disposed of with these directions.

8. The next date of hearing, i.e. 11.12.2026, stands cancelled.

PRATEEK JALAN, J

FEBRUARY 13, 2026

'sv'/AD/