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

+ CRL.M.C. 875/2026, CRL.M.A. 3496/2026

SH. HARI OM GUPTA @DEEPAK & ORS.Petitioners

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

versus

THE STATE GOVT. OF N.C.T. OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP with Mr.
Upasana Bakshi, Advocate and SI
Vikas Kumar, PS-Kalyanpuri.
Mr. Sameer Ahmad, Advocate for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

02.02.2026

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1. By virtue of the present petition under *Section 528* of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (**BNSS**), read with *Section 482* of the
Code of Criminal Procedure, 1973 (**Cr.P.C.**) the petitioners seek quashing
of FIR No.138/2024 dated 14.02.2024 registered at PS: Kalyanpuri, Delhi
under *Sections 498A/406/34* of the Indian Penal Code, 1860 (**IPC**) and all
proceedings emanating therefrom, in view of the Mediation Settlement
dated 05.11.2024 arrived at between the petitioner no.1 and the respondent
no.2 before the Delhi Mediation Centre, Karkardooma Courts, Delhi.



2. The present petition is accompanied by the said Mediation Settlement dated 05.11.2024 [*Annexure P2*] alongwith the respective proofs of identities of the parties.

3. Issue notice. Learned APP for the State accepts notice. He submits that he has no objection to the quashing of the aforesaid FIR No.138/2024 dated 14.02.2024.

4. Respondent no.2, present in Court, also accepts notice and confirms that the marriage of the petitioner no.1 and respondent no.2 has been dissolved by virtue of the Decree of Divorce dated 06.02.2025 under *Section 13B (2)* of the Hindu Marriage Act, 1955. She further affirms the terms of the Mediation Settlement dated 05.11.2024, whereby the petitioner no.1 has already paid her a sum of Rs.28,00,000/- (*Rupees Twenty-Eight Lakhs Only*) as the full and final settlement of all her claims including alimony, maintenance (present, past and future), etc. She further states that she has no objection to the quashing of the FIR No.138/2024 dated 14.02.2024.

5. 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.

6. In view of the fact that a Settlement has already been arrived *inter se* 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 Raghuwanshi & 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.0138/2014 dated 14.02.2024 will be an exercise in futility. Accordingly, the present petition is allowed and FIR No.138/2024 dated 14.02.2024 registered at PS: Kalyanpuri, Delhi under *Sections 498A/406/34* of the IPC and all proceedings emanating therefrom are quashed.

7. Accordingly, the petition alongwith pending application is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

FEBRUARY 02, 2026

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