



\$~61

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

+ **CRL.M.C. 1777/2026 & CRL.M.A. 7303/2026**

SH SUMIT JARWAL & ORS

.....Petitioners

Through: Mr. Sanjay Mandawat, Advocate
(*through videoconferencing*) with
petitioner in person.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State (*through videoconferencing*)
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

12.03.2026

%

1. Petitioners seek quashing of FIR No. 291/2025 of PS Gulabi Bagh for offence under Section 85/316(2)/3(5) IPC on the ground that the complainant *de facto* (*respondent no. 2*) has compromised the disputes with the petitioners.
2. The petition has been filed on the basis of a settlement deed dated 31.01.2026. Many of the conditions in the settlement deed are one sided and even vague. The petitioner no. 1 (husband) is an Advocate while respondent no. 2 (wife) is a lay person. In fact, paragraphs 4 and 5 of the settlement deed are in the nature of creating defence in favour of the petitioners by stating that if the wife commits suicide, the petitioners shall not be responsible in any manner. That is not how a compromise between spouses undergoing matrimonial discord should be arrived at. Further, I take strong



objection to some of the clauses of the settlement deed which expect respondent no. 2 to be an ‘*obedient*’ wife with no corresponding ‘obedient’ attitude from husband. Such paternalistic approach is abhorable. No court can sanctify such settlement deed.

3. At this stage, learned counsel for petitioners, on instructions of his clients, seeks permission to withdraw this petition with liberty to file afresh without relying upon the above mentioned settlement deed.

4. As requested, the petition and the accompanying application are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

MARCH 12, 2026

‘*rs*’