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

\# **CNR No. DLHC010522992023**

\+ CONT.CAS(C) 1864/2023

COURT ITS OWN MOTION .....Petitioner

Through: Ms. Vanshaja Shukla, Ms. Ankeeta Appanna, Ms. Madhura Chitris, Advs.

versus

MR. X .....Respondent

Through: Mr. Sacchin Puri, Sr. Adv. along with Mr. Sahil Tagotra, Mr. Prabhunath Sinha, Mr. Ashutosh Garg, Mr. Krishna Shukla, Mr. Harsh Vardhan, Advocates.

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\# **CNR No. DLHC010523002023**

\+ CONT.CAS(C) 1865/2023

COURT ITS OWN MOTION .....Petitioner

Through: Ms. Vanshaja Shukla, Ms. Ankeeta Appanna, Ms. Madhura Chitris, Advs.

versus

MS. AB .....Respondent

Through: Mr. Sacchin Puri, Sr. Adv. along with Mr. Sahil Tagotra, Mr. Prabhunath Sinha, Mr. Ashutosh Garg, Mr. Krishna Shukla, Mr. Harsh Vardhan, Advocates.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

O R D E R

% 02.11.2026

1. The present two references arise from the orders dated 03.11.2023 passed by the learned Judge, Family Court-02, Shahdara District, Karkardooma Courts, Delhi, in Contempt Petition No(s). 02/2020 (giving rise to CONT. CAS(C) 1864/2023) & 01/2020 (giving rise to CONT.

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CAS(C) 1865/2023).

2. In terms of the orders dated 05.01.2024 passed in CONT. CAS(C) 1864/2023 and 04.01.2024 passed in CONT. CAS(C) 1865/2023, the respondents are referred to as Mr. X and Ms. AB. For the same reason, the original petitioner before the learned Family Court are referred to as Ms. D (former wife of Mr. X) and Mr. H (brother of Ms. D and former husband of Ms. AB).

3. Mr. X, Ms. AB and Ms. D are present in Court today.

4. The background of the present case is that FIR No. 10/2016 dated 07.01.2016, was registered at P.S. New Delhi Railway Station (NDRS) at the instance of Mr. X and Ms. AB against Ms. D, Mr. H and their family members. Thereafter, Mr. X and Ms. D, and Mr. H and Ms. AB, entered into separate Memoranda of Understanding, both dated 25.02.2016 (MoU), and both marriages were dissolved by decrees of divorce by mutual consent dated 23.09.2016.

5. In the said proceedings for divorce by mutual consent, Mr. X and Ms. AB stated before the learned Family Court that they would cooperate in getting the said FIR No. 10/2016, quashed. However, the petition seeking quashing of the said FIR i.e. CRL.M.C. 3667/2016, was opposed by them, and was dismissed by this Court on 30.07.2018. SLP (Crl.) Nos. 7678 – 7679 of 2018 preferred against the said order, were dismissed by the Supreme Court on 12.02.2019.

6. Thereafter, Ms. D and Mr. H have filed the aforesaid contempt petitions before the learned Family Court, which has made the present references. The trial arising out of the said FIR No. 10/2016 is still pending; however, further proceedings therein have been stayed by the Supreme

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Court *vide* order dated 15.05.2025 in W.P.(Crl.) No. 16/2025.

7. During the course of hearing, it is pointed out on behalf of the original petitioners, that in the proceedings for divorce by mutual consent, Mr. X and Ms. AB stated on oath that they would cooperate in getting the aforesaid FIR No. 10/2016 quashed. It is submitted that the decrees of divorce were passed on that basis.

8. Mr. Sacchin Puri, learned senior counsel for Mr. X and Ms. AB, submits, on instructions, that Mr. X and Ms. AB shall abide by the MoU dated 25.02.2016 and the statements made by them before the learned Family Court, and shall cooperate and have no objection to quashing of the aforesaid FIR No. 10/2016, registered at P.S. NDRS and the proceedings arising therefrom, *qua* Ms. D and Mr. H. However, it is submitted that the FIR, *qua* the other accused persons is not covered by the aforesaid MoU.

9. Learned counsel for the original petitioners, Mr. H and Ms. D, on instructions, and to put a quietus to the matter, submits that the above is acceptable to them, and given the aforesaid statement, they do not wish to press the present contempt petitions any further.

10. Mr. X and Ms. AB are held bound by their statements recorded in paragraph No. 8, hereinabove. They shall file, within a period of three weeks from today, their affidavits of no objection to the quashing of FIR No. 10/2016 *qua* Ms. D and Mr. H, and shall cooperate in any proceedings for that purpose.

11. It is made clear that it shall be for the competent Court to consider whether the said FIR No. 10/2016 and the proceedings arising therefrom are to be quashed.

12. It is further made clear that this order and statements made by Mr. X

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and Ms. AB in paragraph No.8 hereinabove shall not affect the case of the other accused persons in FIR No. 10/2016, including in the proceedings before the Supreme Court in W.P.(Crl.) No. 16/2025, and the same shall not be construed as a concession or admission against them.

13. All the rights and contentions of the other accused persons are left open, and this order shall not be construed as having any bearing on the same.

14. In view of the above, the present references are closed, and the proceedings in CONT.CAS(C) 1864/2023 & CONT.CAS(C) 1865/2023 are dropped.

15. It is, however, made clear that any breach of the statements recorded in paragraph No.8 hereinabove, shall be viewed seriously. In the event of any such breach, the aggrieved party shall be at liberty to take appropriate remedies in accordance with law.

16. Learned counsel for the parties, on instructions, undertake on behalf of Mr. X, Ms. D, Ms. AB and Mr. H., that they shall not directly or indirectly interfere in the lives of one another and shall not contact, harass or disparage one another or initiate any proceedings against one another, arising out of or related to the matter settled, save for the purpose of giving effect to this order.

SACHIN DATTA, J

NOVEMBER 2, 2026/*at/ka*

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