

# Akshay Gupta And Ors vs State Govt Of Nct Of Delhi And Anr on 29 September, 2021

**Author: Mukta Gupta**

**Bench: Mukta Gupta**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(CRL) 1893/2021  
AKSHAY GUPTA AND ORS. .... Petitioner  
Represented by: Mr. Vivek Kadyan, Adv.

versus

STATE GOVT OF NCT OF DELHI AND ANR. .... Respondent  
Represented by: Ms. Kamna Vohra, ASC for State  
with SI Saroj Bala, PS Maurya  
Enclave.  
Ms. Anuradha Vashisht, Adv. for R-2  
with Ms. Shivani/R-2 in person.

CORAM:  
HON'BLE MS. JUSTICE MUKTA GUPTA  
ORDER

% 29.09.2021 The hearing has been conducted through Physical Mode. CRL.M.A. 15609/2021  
Exemption allowed subject to just exception.

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1. By this petition the petitioners seek quashing of FIR No. 72/2020 under Sections 498A/406/377/34 IPC registered at PS Maurya Enclave on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.

2. Notice. Learned Additional Standing Counsel for the State accepts notice. On instructions she states that in the above-noted FIR the three petitioners are the accused and respondent No.2 the complainant/ victim and no other person is involved.

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3. In the above-noted FIR the complainant stated that she was married to the petitioner No.1 on 3rd July, 2017 and her parents spent a huge amount of 50 lakhs in the marriage which was beyond their capacity. The marriage was arranged through common family friend. On the desire of the parents- in-law the ceremonies were conducted in a grand and lavish manner and the entire expenses of the ceremonies were born by her father. Despite having spent so much, the

parents-in-law of the complainant pressed her parents to gift a car worth 7-8 lakhs to the petitioner at the time of marriage. However, parents of the complainant being hard-pressed of money could not arrange for the said money. Since the demands were not met, the complainant was not given a proper welcome by the in-laws and the in-laws made remarks in relation to the marriage and about the family of the complainant. It was further alleged that the behaviour of the petitioner No.1 was rude and arrogant towards the family members of the complainant. The complainant felt cheated when she got to know about the open heart surgery of her husband got conducted prior to the marriage. Her entire jewellery was taken by the mother-in-law. It is further alleged that besides the behaviour of the petitioner No.1 being rude, he also assaulted her and humiliated the complainant. Further, though it was represented that the job of the petitioner No.1 was a Government job it turned out to be a contractual job. As the physical and mental harassment continued, the respondent No.2 left the company of the petitioner in July 2019 resulting in the registration of the above-noted FIR. During the pendency of the proceedings, the parties entered into a settlement before the Delhi Mediation Centre, Rohini District Court on 6th April, 2021 copy whereof is annexed as Annexure P-3 to the present petition.

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4. Respondent No.2 is present physically and is identified by the learned counsel and the investigating officer. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre vide the settlement agreement on 6th April, 2021. Pursuant to the settlement divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, stridhan, alimony, past, present and future, respondent No.2 is to receive a total sum of 21 lakhs out of which she has already received 14 lakhs and the balance amount of 7 lakhs have been received by her today through demand draft No. '554666' dated 27.09.2021 drawn on Punjab National Bank. She states that she has now no claim whatsoever against the petitioner and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She undertakes to abide by the terms of settlement arrived at between the parties.

5. Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties.

6. In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

7. Consequently, FIR No. 72/2020 under Sections 498A/406/377/34 IPC registered at PS Maurya Enclave, Delhi and proceedings pursuant thereto are hereby quashed.

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8. Petition is disposed of.
9. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

SEPTEMBER 29, 2021  
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