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

+ **CRL.M.C. 8487/2024**

RITU MATHUR

.....Petitioner

Through: Ms. Swati Saxena, Mr. Hemant Kumar, Mr. Himanshu Pandit, Mr. Manish Mishra and Mr. Sachin, Advocates alongwith petitioner in person

versus

THE STATE (GNCT OF DELHI) AND ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for the State with Ms. Amisha Dahiya, Advocate, SI Surendra Das P.S. Safdarjung Enclave and SI Rajender DIU/SW
Respondent no. 2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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15.01.2026

CRL.M.A. 1305/2026 (early hearing)

1. By way of the present application, the applicant is seeking early hearing of the above-captioned petition.
2. For the reasons mentioned in the application, the present application is allowed and the next date of hearing i.e., 13.05.2026, in the above-captioned petition is preponed and the matter is taken up for hearing today itself.
3. Accordingly, the present application is disposed of.



CRL.M.C. 8487/2024

4. By way of the present petition, the petitioner seeks partial quashing of FIR bearing no. 388/2021, registered at Police Station Safdarjung Enclave, Delhi, for commission of offence punishable under Sections 506/451/458/451/427/120B/109/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').

5. The petitioner and respondent no. 2 are present before this Court and have been identified by their counsel and Investigating Officer (IO) from Police Station Safdarjung Enclave, Delhi.

6. Brief facts of the present case are that the Petitioner and respondent No. 2 were married on 09.12.1994 as per Hindu rites & ceremonies. It is stated that no child was born out of the said wedlock. Due to temperamental issues and differences, the parties started living separately since 07.03.2012, as admitted in their joint petition for dissolution of marriage by mutual consent (HMA No. 402/2015) filed on 18.05.2015. The first motion was allowed; however, as the settlement terms were not executed, the petition lapsed. It is stated that thereafter, the parties and their respective family members have been embroiled in protracted litigation concerning divorce and property.

7. On the basis of a complaint lodged by respondent no. 2 alleging an incident dated 27.12.2021, it was stated that certain neighbors, i.e. Varun Jain, Saurabh Jain, Suman Jain, Parul Jain and Aditi Jain—were permitted entry by the petitioner into the shared premises. It was further alleged that Varun Jain and Saurabh Jain trespassed into respondent no. 2's bedroom and issued threats. On the basis of the complaint, the present FIR was registered under Sections 451/506/34 of IPC against all accused, including the present



petitioner. Subsequently, Sections 452 and 457 of IPC were added. Thereafter, upon filing of the final report on 31.05.2021, offences were shown under Sections 506/457/451/427/34 of IPC were invoked, and further supplementary chargesheet was filed on 31.12.2021 under Section 34/452/458/109/120B of IPC.

8. During pendency of the case, both the parties have amicably settled their disputes *vide* Settlement Agreement dated 17.09.2024 and have obtained decree of divorce, by way of mutual consent, from the concerned Court.

9. On a query made by this Court, respondent no. 2 who has been identified by the IO, has categorically stated that he has entered into compromise out of his own free will and without any pressure, coercion or threat. It is also stated by respondent no. 2 that the entire dispute has been amicably settled between them *vide* Settlement Agreement dated 17.09.2024. Respondent no. 2 further states that he has no objection, if the present FIR is quashed.

10. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to partially quash the abovementioned FIR qua the petitioner and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

11. Accordingly, FIR bearing no. 388/2021, registered at Police Station Safdarjung Enclave, Delhi, for commission of offence punishable under Sections 506/457/458/451/427/120B/109/34 of IPC and all consequential



proceedings emanating therefrom are quashed qua the petitioner only.

12. In view of above, the present petition stands disposed of.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 15, 2026/ns