



\$~44

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

+ **CRL.M.C. 2465/2025**

RAKESH KUMAR & ORS.

.....Petitioners

Through: Mr. Sarthak Gupta, Ms. Atti Tyagi,
and Mr. Prashant Sharma, Advocates
alongwith petitioners in person

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Rajkumar, APP for the State with
SI Anita, P.S. Keshav Puram and IO
SI Rupesh Raj
Mr. Gaurav Mittal, Advocate for R-2
alongwith R-2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

%

21.05.2025

CRL.M.A. 11044/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 2465/2025

3. By way of the present petition, the petitioners seek quashing of the FIR bearing No. 234/2019, registered at Police Station Keshav Puram, Delhi, for the commission of offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. Mr. Rajkumar, the learned APP accepts notice on behalf

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/05/2025 at 15:25:31



of the State.

5. All the petitioners are present before this Court and have been identified by their counsel and Investigating Officer (IO) concerned, Police Station Keshav Puram, Delhi.

6. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 had been solemnized at Delhi on 16.05.2010, in accordance with Hindu rites and ceremonies. It is stated that one female child Baby Naysa Singhal was born on 18.05.2011, out of the said wedlock. It is further stated that various differences, disputes and issues had arisen between the parties due to which they have been residing separately since 15.03.2020. Upon the complaint being filed by respondent no. 2, the present FIR came to be registered against the petitioners. It is stated that with the intervention of family and friends, the parties have now amicably settled their disputes *vide* Settlement Agreement dated 12.07.2024 and had obtained a decree of divorce by way of mutual consent before the concerned Court.

7. On a query made by this Court, respondent no. 2 who has been identified by the IO concerned, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. Therefore, she has no objection if the FIR is quashed. The statement of the parties to the said effect had been recorded by the learned Joint Registrar (Judicial) on 09.04.2025.

8. In view of the above, that the parties have amicably resolved their differences of their own free will, and without any coercion, and 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 quash the abovementioned FIR and the proceedings pursuant thereto.

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/05/2025 at 15:25:31



There is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing No. 234/2019, registered at Police Station Keshav Puram, Delhi, for the commission of offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed, subject to the rights of the child will not get affected as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court.
10. In view of above, the present petition stands disposed of.
11. The order be uploaded on the website forthwith.

MAY 21, 2025/ns

DR. SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/05/2025 at 15:25:31