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

+ **W.P.(CRL) 1874/2025**

VINAY DHOLPURIYA & ORS.

.....Petitioners

Through: Petitioners with their counsel Mr.
Vipul Sharma & M.K Rizvi, Advs.

versus

THE STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Rahul Tyagi, ASC for the State.
R-2 with her counsel Mr Devender
Dubey and Mrs Kavita Jha, Advs.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **30.05.2025**

CRL.M.A. 17576/2025 & CRL.M.A. 17577/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. By way of the present writ petition, the petitioners seek quashing of the FIR bearing No. 561/2020, registered at Police Station Karol Bagh, New Delhi, for the offences punishable under Sections 498/406/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. The learned ASC accepts notice on behalf of the State.
5. All the petitioners are present before this Court and have been identified by their counsel and Investigating Officer (IO) concerned.



6. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized at Delhi on 19.04.2016, in accordance with Hindu rites and ceremonies. One male child was born out of the said wedlock. It is stated that various differences, disputes and issues had arisen between the petitioners and respondent no. 2. Upon a complaint, by respondent no. 2, the present FIR came to be registered against the petitioners. It is stated that with intervention of the family and friends, the parties have now amicably settled their disputes before the Counselling Cell, Family Court, Central District, Tis Hazari Court, Delhi on 08.12.2023.

7. On a query made by this Court, respondent no. 2 who has been identified by the IO, 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 present FIR is quashed.

8. In view of the above, 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 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.

9. Accordingly, FIR bearing No. 561/2020, registered at Police Station Karol Bagh, New Delhi, for the offences punishable under Sections 498/406/34 of IPC and all consequential proceedings emanating therefrom are quashed, subject to the fact that the rights of the child will not get affected as per the judgment passed by the Hon'ble Supreme Court titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787.***

10. The writ petition stands disposed of.



11. The order be uploaded on the website forthwith.

MAY 30, 2025/A

DR. SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any