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

+ **CRL.M.C. 5235/2025**

SHUBHAM KANSAL & ORS.

.....Petitioners

Through: Mr. Anurag Kumar Agarwal, Mr. Umesh Mishra, Mr. Prateek Agarwal and Mr. Narender Kumar, Advocates alongwith petitioners in person

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for the State with Ms. Puja Mann, Advocate and SI Chetan Maharda
Mr. Diwakar Singh, Advocate for R-2 alongwith R-2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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04.08.2025

CRL.M.A. 22633/2025 (exemption)

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

CRL.M.C. 5235/2025

3. By way of the present petition, the petitioners seek quashing of FIR bearing no. 1074/2023, registered at Police Station Paschim Vihar, Delhi for the commission of offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (hereafter '*IPC*').
4. Issue notice. The learned APP accepts notice on behalf of the State.



5. The petitioners and respondent no. 2 are present before this Court in person. They have been identified by their counsels and concerned Investigating Officer (IO) from Police Station Paschim Vihar, Delhi.

6. Briefly stated, facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 11.03.2016 as per the Hindu rites and customs at Delhi. On 27.04.2022, one child Master Ayaansh Kansal was born out of their wedlock. After some time, due to temperamental differences, both the parties started residing separately since 11.06.2022. Thereafter on 21.11.2022, respondent no. 2 had filed a complaint with CAW Cell against the petitioners culminated into the present FIR.

7. It is stated that both the parties have amicably settled their disputes the present matter *vide* Memorandum of Understanding/Settlement Deed dated 31.12.2024, entered between them.

8. The learned counsel for the petitioner submits that the affidavits showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava: (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court have been filed and the same are on record.

9. On a query made by this Court, respondent no.2 who has been identified by the concerned IO, has categorically stated that she has entered into compromise out of her 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 the parties and that she has already received the entire amount, as per the settlement. Respondent no. 2 further states that she 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, 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. There is no legal impediment in quashing the FIR in question.

11. Accordingly, FIR bearing No. 1074/2023, registered at Police Station Paschim Vihar, Delhi for the commission of offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 04, 2025/ns