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

+ **CRL.M.C. 5596/2025**

SANJAY RAI & ORS.

.....Petitioners

Through: Petitioners with their counsel
(appearance not given).

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Rajkumar, APP for the State.
R-2 with her counsel

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **14.08.2025**

CRL.M.A. 24021/2025 (exemption)

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

CRL.M.C. 5596/2025

3. By way of the present petition, the petitioners are seeking quashing of FIR bearing No. 238/2017, registered at Police Station Narela, Delhi, for the commission of offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereafter '*IPC*') and subsequent proceedings arising therefrom.
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. All the petitioners and respondent no. 2 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 22.11.2009, in accordance with Hindu rites and ceremonies. One child was born out of the said wedlock on 22.07.2011, who is presently in the custody of respondent no. 2. It is stated that due to various differences, disputes and issues had arisen between the petitioners and respondent no. 2. Upon the 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 dispute before the Delhi Mediation Centre, Kakaradooma Courts, Delhi *vide* Memorandum of Settlement dated 16.11.2017.

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 FIR is quashed. Both the parties also undertake that the future rights of the minor 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.

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 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 No238/2017, registered at Police Station



Narela, Delhi, for the commission of offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

10. Accordingly, the present petition stands disposed of.

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 14, 2025/A