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

+ **CRL.M.C. 5671/2025**

ASHISH SHARMA & ANR.

.....Petitioners

Through: Mr. Ashok Kumar Sharma and Mr.
O.P. Singh, Advocates along with
petitioners-in-person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Rajkumar, APP for the State with
ASI Anand Kumar PS. New Ashok
Nagar.
Respondent no. 2-in-person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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19.08.2025

CRL.M.A. 24314/2025 (exemption)

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

CRL.M.C. 5671/2025

3. By way of present petition, the petitioners are seeking quashing of FIR bearing no. 688/2023, registered at Police Station New Ashok Nagar, Delhi for the offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
4. The petitioners and respondent no. 2 are present before this Court and have been identified by their counsels and concerned Investigating Officer



(IO) from Police Station New Ashok Nagar, Delhi.

5. Briefly stated, facts of the present case are that on 30.01.2013, the marriage between petitioner no. 1 and respondent no. 2 was solemnized at Ghaziabad. Out of the said wedlock, two children were born. However, due to temperamental difference between the parties, petitioner no. 1 and respondent no. 2 started living separately. On the complaint of respondent no. 2, the present FIR was registered against the petitioners. However, with the intervention of the family members, the parties have amicably settled their disputes *vide* Memorandum of Understanding (MoU) dated 28.05.2025, entered between them.

6. 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. Respondent no. 2 further states that she has no objection if the present FIR is quashed.

7. The para no. 15 of MoU mentions that two daughters' future rights have been settled *vide* MoU dated 28.05.2025. However, it is clarified that as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court, the future rights of the minor child cannot be settled. The petitioner no. 1 states that he has understood that the future rights of the children cannot be compromised and his statement in this regard may be taken on record. It is therefore, taken on record that the future rights of the minor children will not be compromised by virtue of this agreement.

8. 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.

9. Accordingly, FIR bearing no. 688/2023, registered at Police Station New Ashok Nagar, Delhi for the offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 19, 2025/zp