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

+ **CRL.M.C. 8674/2025**

RAHUL PANDEY & ORS.

.....Petitioners

Through: Mr. Avinash Kumar, Advocate

versus

STA TE GOVT OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Vikram Singh, PS
Welcome.

Counsel (appearance not given) for R-
2 and R-2 in person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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04.12.2025

CRL.M.A. 36196/2025 (exemption)

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

CRL.M.C. 8674/2025

3. By way of the present petition, the petitioners seek quashing of the FIR bearing no. 160/2018, registered at Police Station Welcome, Delhi, for the commission of offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereafter 'IPC') and all consequential proceedings arising therefrom on the basis of settlement arrived at between the parties.
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. All the petitioners and respondent nos. 2 are present before this Court



and have been identified by their counsel and Investigating Officer (IO) concerned, Police Station Welcome, Delhi.

6. Brief facts of the present case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 05.06.2015, as per Hindu rites and ceremonies. It is stated that one male child was born out of the said wedlock, who is presently in the custody of respondent no. 2. Due to temperamental differences, both the parties started residing separately since 31.10.2015. On the complaint of respondent no. 2, the present FIR was registered against the petitioners.

7. During pendency of the case, both the parties had amicably settled their disputes *vide* Settlement Agreement dated 29.07.2024 and had dissolved their marriage by way of mutual consent divorce before the concerned Court.

8. The respondent no. 2 is present in person alongwith her counsel, who states that she has received an amount of Rs.2,50,000/- by way of Demand Draft bearing no. 157050 drawn on State Bank of India, which she was to receive at the time of quashing of the FIR.

9. On a query made by this Court, respondent nos. 2 who has been identified by the IO, has categorically stated that she 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.

10. The learned counsel appearing for the petitioners 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.



11. In view of the above, that the parties have amicably resolved their differences out 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.

12. Accordingly, FIR bearing No. 160/2018, registered at Police Station Welcome, Delhi, for the commission of offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

13. The petition stands disposed of.

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

DECEMBER 04, 2025/zp
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