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

+ **CRL.M.C. 8742/2025**

VIKAS AND ANR.

.....Petitioners

Through: Mr. Vikas Sharma, Advocate along
with petitioners-in-person.

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State.
Respondent no. 2-in-person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
08.12.2025

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1. By way of the present petition, the petitioners seek quashing of FIR bearing no. 1251/2018, registered at Police Station Aman Vihar, Delhi, for the commission of offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (hereafter 'IPC') and its consequential proceedings.
2. Issue notice. Mr. Nawal Kishore Jha, the learned APP accepts notice on behalf of the State.
3. 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 Aman Vihar, Delhi.
4. Brief facts of the present case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 08.07.2016, 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 30.03.2018. On the complaint of respondent no. 2, the present FIR was registered against the petitioners.

5. During pendency of the case, both the parties had amicably settled their disputes *vide* Settlement Agreement dated 25.10.2024 and had dissolved their marriage by way of mutual consent divorce before the concerned Court.

6. The respondent no. 2 is present in person, who states that she has received an amount of Rs.2,00,000/- by way of Demand Draft bearing no. 845949 drawn on Kotak Mahindra Bank, which she was to receive at the time of quashing of the FIR.

7. This Court notes that the custody of minor child is with respondent no. 2 and the future right of the child will not be affected by virtue of this compromise. The learned counsel appearing 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.

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

9. In view of the above fact 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.

10. Accordingly, FIR bearing no. 1251/2018, registered at Police Station Aman Vihar, Delhi, for the commission of offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

DECEMBER 08, 2025/zp
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