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

+ CRL.M.C. 851/2026

SHUBHAM & ORS.

.....Petitioners

Through: Petitioners with their counsel Mr. Manish Kumar, Mr. Anuj Arya, Mr. Lavish Rajput, Mr. Sonu Pandit and Mr. Divyansh Chauhan, Advs.

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State.
R-2 and R-3 with their counsel Mr. Rishipal Singh, Adv.

+ W.P.(CRL) 351/2026

HEMANT KUMAR & ORS.

.....Petitioners

Through: Petitioners with their counsel Mr. Rishipal Singh, Adv.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for the State.
R-2 with her counsel Mr. Manish Kumar, Mr. Anuj Arya, Mr. Lavish Rajput, Mr. Sonu Pandit and Mr. Divyansh Chauhan, Advs.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER



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02.02.2026

CRL.M.A. 3364/2026. (exemption) in CRL.M.C. 851/2026
CRL.M.A. 3406/2026. (exemption) in W.P.(CRL) 351/2026

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

CRL.M.C. 851/2026 & W.P.(CRL) 351/2026

3. By way of both these petitions, the petitioners are seeking quashing of FIRs. i.e. FIR bearing no. 203/2024, registered at Police Station Bindapur, Delhi for the commission of offence punishable under Sections 308/34 of Indian Penal Code, 1860 (hereafter 'IPC') and FIR bearing no. 0202/2025, registered at Police Station Samaipur Badli, Delhi for the commission of offence punishable under Sections 498-A/406/34 of the IPC.
4. The petitioners and the complainants in both these petitions are present before this Court and have been identified by their respective counsels and concerned Investigating Officer (IO) from Police Stations Bindapur and Samaipur Badli, Delhi.
5. Briefly stated, facts of the present case are that the marriage between petitioner no. 4 and respondent no. 3 was solemnized on 01.05.2013 as per the Hindu rites and customs and were living with each other. One girl child was born from their wedlock on 17.05.2016, who is presently in the custody of respondent no. 3. After some time, due to different lifestyles and temperamental differences, both the parties could not reside with each other and since 29.04.2024, the parties have started living separately from each other. It is further stated that on 29.04.2024, an altercation had taken place between the parties, as a result of which, both the parties had sustained injuries. Thereafter, on the complaint of the complainants, these FIRs were



registered against the petitioners under the relevant sections. It is stated that both the parties have amicably settled the present matter *vide* Memorandum of Understanding dated 14.10.2025, entered between them.

6. On a query made by this Court, the complainants who have been identified by the concerned IOs, have categorically stated that they have entered into compromise out of their own free will and without any pressure, coercion or threat. It is also submitted that respondent no. 3 has received the balance compromised amount of ₹1,00,000/- from her husband vide DD No.508500, drawn on ICICI Bank. It is also stated by the complainants in both these FIRs that the entire dispute has been amicably settled between the parties and they have no objection if the both these FIRs are quashed.

7. This Court notes that the custody of children is with respondent no. 3/wife and the future right of the child will not be affected by virtue of this compromise.

8. The affidavits showing the protection of interest of child, as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava: (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court, has been filed.

9. In view of the above fact that the parties have amicably resolved their differences out 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.

10. Accordingly, FIR bearing no. 203/2024, registered at Police Station Bindapur, Delhi for the commission of offence punishable under Sections 308/34 of IPC and FIR bearing no. 0202/2025, registered at Police Station



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

11. In view of the above, the present petitions stand disposed of.
12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 02, 2026/A/R