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

+ CRL.M.C. 1288/2026 & CRL.M.A. 5156/2026

RAJAN RAI@ RAJAN ROY

.....Petitioner

Through: Mr. Gulab Singh, Advocate.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Hitesh Vali, APP for State
with SI Nisha, Mohan Garden and
SI Bala.

Ms. Snigdha Birlak and Mr. Ojhas
Singh Sachdeva, Advocates for R2
alongwith R2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **16.02.2026**

1. The petitioner has filed the present petition seeking quashing of FIR No. 104/2023 dated 07.04.2023, registered at Police Station Mohan Garden, District Dwarka, New Delhi, under Sections 498A/406/34 of the Indian Penal Code, 1860, on the basis of a Memorandum of Understanding ["MoU"] dated 24.12.2025 between the petitioner and respondent No. 2. Paragraph 3 of the MoU reads as follows:

"That as per the terms of the MOU, inter alia, the Parties have agreed that their girl child Samaira who is minor, aged 10 years (D.O.B 29 August 2015) shall continue to be in care, full custody and protection of First Party only and Second Party has unequivocally agreed to the same and has waived each and every right over the child, including the right to visitation and guardianship. The First Party has agreed to not to raise any claim



over the property of Second Party in future. The First Party assures that it is her duty to convince the child Samaria that she will not file any claim from her father, Rajan Roy with regard to any property or anything else after she attains the age of majority i.e. 18 years. The second party undertakes that he & his family will not maintain any contact with the child Samaira and will not visit the school and tuition Centre of the child Samaira in any manner whatsoever from the date of execution of this MOU.”

2. After some hearing, Mr. Gulab Singh, learned counsel for the petitioner, and Mr. Ojhas Singh Sachdeva, learned counsel for respondent No. 2, submit that they would like to revisit the above agreement, as far as the visitation rights of the petitioner and the rights of the minor child are concerned. At their request, the parties are referred to the Counselling Cell, Family Courts, Dwarka, New Delhi, so that a properly considered agreement, keeping in mind the welfare of the minor child, can be drawn up.
3. Accordingly, the petition, alongwith pending application, is dismissed as withdrawn, with liberty to file afresh with a revised settlement agreement.

PRATEEK JALAN, J

FEBRUARY 16, 2026
‘pv/KA’/