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

+ **W.P.(CRL) 928/2026**

GAURAV KUSHWAH & ORS.

.....Petitioners

Through: Petitioners with their counsel Mr.
Ujjwal Bhardwaj, Advocate

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State with SI Shashi Bhushan
Kaushik, PS: Sagarpur, Delhi.
Mr. Sachidanand Chaudhary and Mr.
Sunil Kumar, Advocates for R-2 and
R-2 in person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

23.03.2026

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CRL.M.A. 8804/2026 & CRL.M.A. 8805/2026 (exemption)

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

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3. By way of the present writ petition, the petitioners are seeking quashing of FIR bearing no. 665/2022, registered at Police Station Sagarpur, Delhi, for the commission of offence punishable under Sections 406/498A/34 of Indian Penal Code, 1860 (hereafter 'IPC').
4. The petitioners and respondent no. 2 are present before this Court in person and have been identified by their counsels and concerned



Investigating Officer (IO) from Police Station Sagarpur, Delhi.

5. Briefly stated, facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 23.11.2015 as per the Hindu rites and customs and were living with each other. One male child was born from their wedlock on 22.02.2018 who is under the custody of petitioner no. 1/husband. After some time, due to different lifestyles and temperamental differences, both the parties could not reside with each other and since 2017, petitioner no. 1 and respondent no. 2 have started living separately from each other. Thereafter, on the complaint of respondent no.2, the present FIR was registered against the petitioners under the relevant sections.

6. It is stated that during the pendency of the case, both the parties have amicably settled their disputes *vide* Settlement Deed dated 25.10.2025 before the learned Judge, Family Court, Patiala House Courts, New Delhi. Thereafter, both the parties had dissolved their marriage by way of mutual consent before the concerned Court.

7. The respondent no. 2 is present in person alongwith her counsel, who states that she has received an amount of ₹3,50,000/- by way of a Demand Draft bearing No. 502789, dated 26.12.2025, drawn on ICICI Bank.

8. This Court notes that the custody of minor child is with petitioner no. 1 and the future rights of the child will not be affected by virtue of this compromise.

9. 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.

10. Although, 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 not been filed by the learned counsel for the petitioners, however, the parties will remain bound by it.

11. 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.

12. Accordingly, FIR bearing no. 665/2022, registered at Police Station Sagarpur, Delhi, for the commission of offence punishable under Sections 406/498A/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

13. In view of the above, the present writ petition stands disposed of.

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 23, 2026/vc