



\$~23

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

+ **W.P.(CRL) 1013/2026**

VISHAL AND ORS.

.....Petitioners

Through: Petitioners with their counsel Mr. A.
K Dubey, Mr. Pankaj Rai and Ms.
Manaswi Rai, Advs.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Anand V. Khatri, ASC for the
State.
R-2 with her counsel

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

%

27.04.2026

CRL.M.A. 9519/2026 (exemption)

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

W.P.(CRL) 1013/2026

3. By way of the present writ petition, the petitioners seek quashing of the FIR bearing No. 485/2023, registered at Police Station Najafgarh, District Dwarka, Delhi, for the commission of offence punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereafter 'IPC') and all consequent proceedings emanating therefrom.
4. All the petitioners and respondent no. 2 are present before this Court and have been identified by their counsel and Investigating Officer (IO)



concerned from Police Station Najafgarh, District Dwarka, Delhi.

5. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 19.02.2020 in accordance with Hindu rites and ceremonies. It is stated that one male child was born out of the said wedlock on 12.07.2021, who is presently in the custody of respondent no. 2. It is stated that due to temperamental differences which had arisen between the petitioners and the respondent no. 2, they started living separately since 22.03.2023. Further, upon a complaint filed by respondent no. 2, the present FIR was registered against the petitioners under relevant Sections. However, it is stated that during pendency of the trial, the parties have amicably settled their disputes before the Counselling Cell, Family Court, *vide* Settlement dated 29.01.2025 and an amount of Rs.3,00,000/-, by way of Demand Draft bearing No. 864000 dated 20.03.2026, drawn on State Bank of India, has been handed over to respondent no. 2 in Court today.

6. This Court notes that the custody of the child is with respondent no. 2 and the future rights of the child will not be affected by virtue of this settlement.

7. The learned counsel appearing on behalf of respondent no. 2 alongwith respondent no. 2, states that she has no objection, if the FIR is quashed, since she has received the entire amount which was due towards the settlement arrived at between the parties.

8. 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.

9. 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.

10. Accordingly, FIR bearing No. 485/2023, registered at Police Station Najafgarh, District Dwarka, 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 writ petition stands disposed of.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 27, 2026/A/R