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

+ **CRL.M.C. 2650/2026**

DANISH KHAN @ MOHAMMAD DANISH KHAN

& ORS.

.....Petitioners

Through: Mr. Imran Ali, Advocate along with
the petitioners-in-person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.
Mr. M. Z. Khan, Advocate for R-2
with R-2.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **10.04.2026**

CRL.M.A. 10755/2026 (exemption)

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

CRL.M.C. 2650/2026

3. By way of the present petition, the petitioners seek quashing of the FIR bearing No. 959/2016, registered at Police Station Jamia Nagar, 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. Issue notice. The learned APP accepts notice on behalf of the State.



5. 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 Jamia Nagar, Delhi.

6. Brief facts of the case are that the marriage between the petitioner no. 1 and the respondent no. 2 was solemnized on 09.01.2011 in accordance with Muslim rites and ceremonies. It is stated that one child was born out of the said wedlock, who is in 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 2019. Further, upon a complaint filed by respondent no. 2, the present FIR was registered against the petitioners. However, it is stated that during pendency of the trial, the parties have now amicably settled their disputes *vide* consent affidavit of respondent no. 2 dated 10.03.2025.

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

8. 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.

9. 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.

10. 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.

11. Accordingly, FIR bearing No. 959/2016, registered at Police Station Jamia Nagar, Delhi, for the commission of offence punishable under Sections 498A/406/34 of IPC, and all consequential proceedings emanating therefrom are quashed.

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

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 10, 2026/zp/r