



\$~67

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

+ **CRL.M.C. 2812/2026**

SADDAM & ORS.

.....Petitioners

Through: Mr. Santosh Kumar, Advocate
alongwith petitioners in person

versus

GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Satish Kumar and
Kavindra
R-2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

%

15.04.2026

CRL.M.A. 11379/2026 (exemption)

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

CRL.M.A. 11380/2026

3. By way of the present application, petitioners seek condonation of delay of 42 days in re-filing the present petition. In view of the reasons stated in the application, the delay of 42 days in re-filing the present petition stands condoned.

4. Application stands disposed of

CRL.M.C. 2812/2026

5. By way of the present petition, the petitioners seek quashing of the FIR bearing No. 99/2022, registered at Police Station Bara Hindu Rao,



Delhi, for the commission of offence punishable under Sections 498A/406 of the Indian Penal Code, 1860 (hereafter 'IPC') and all consequent proceedings emanating therefrom.

6. Issue notice. The learned APP accepts notice on behalf of the State.
7. 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 Bara Hindu Rao, Delhi.
8. Brief facts of the case are that the marriage between the petitioner no. 1 and the respondent no. 2 was solemnized at Delhi on 17.04.2019, in accordance with Muslim rites and ceremonies. It is stated that one male 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 from 21.05.2021. Further, upon a complaint filed by respondent no. 2, the present FIR was registered against the petitioners. It is stated that with intervention of the family and friends, the parties have now amicably settled their dispute before Delhi Mediation Centre, Tis Hazari Courts, Delhi *vide* a Settlement dated 28.10.2025.
9. 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.
10. 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. She further states that she has received an amount of ₹1,50,000/- by way of a Demand Draft No. 929531 dated 24.02.2026, which she was to



receive as per settlement. Therefore, she has no objection if the present FIR is quashed.

11. 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.

12. 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.

13. Accordingly, FIR bearing No. 99/2022, registered at Police Station Bara Hindu Rao, Delhi, for the commission of offence punishable under Sections 498A/406/34 of IPC, and all consequential proceedings emanating therefrom are quashed.

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

15. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 15, 2026/rr/gj