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

+ **CRL.M.C. 3166/2026**

VARUN BANATI & ORS.

.....Petitioners

Through: Mr. Abhishek Gupta, Advocate
alongwith petitioners in person

versus

THE STATE GOVT OF NCT OF DELHI AND ANR.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Sandeep
Mr. Shashank Aggarwal, Advocate
for R-2 alongwith R-2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **24.04.2026**

CRL.M.A. 12831-32/2026 (exemption)

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

CRL.M.C. 3166/2026

3. By way of the present petition, petitioners seek quashing of FIR bearing no. 391/2021, registered at Police Station Vikaspuri, Delhi, for the commission of offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (hereafter 'IPC').
4. The petitioners and respondent no. 2 are present before this Court and have been identified by their counsels and concerned Investigating Officer (IO) from Police Station Vikaspuri, Delhi.



5. Briefly stated, facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 25.11.2012 as per the Hindu rites and customs. It is stated that one male child was born out of the said wedlock, who is in custody of respondent no. 2. After some time, due to temperamental differences, both the parties could not reside with each other and since 10.03.2019, petitioner no. 1 and respondent no. 2 are living separately. Thereafter, on the complaint of respondent no.2, the present FIR was registered against the petitioners under the relevant sections. It is stated that both the parties have amicably resolved all their disputes and differences *vide* Compromise-cum-Settlement Deed dated 31.01.2026, entered between them. It is stated that parties have obtained decree of divorce by way of mutual consent from the concerned Court.

6. 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. 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.

7. On a query made by this Court, respondent no.2 who has been identified by the concerned IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no. 2 that the entire dispute has been amicably settled between the parties. Respondent no. 2 further states that she has no objection if the present FIR is quashed.

8. In view of the above fact that the parties have amicably resolved their



differences out of their own free will, without any coercion and 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.

9. Accordingly, FIR bearing No. 391/2021, registered at Police Station Vikaspuri, Delhi, for the commission of offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 24, 2026/ns/TD