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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of Decision: 01st July, 2026*

+ CRL.M.C. 4489/2026

ROHIT PANDITA & ORS.Petitioners

Through: Ms. Kavita Rani, Adv.

versus

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

Through: Mr. Rajkumar, APP for the State.
Mr. Sudhir Kumar Sharma, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein seek quashing of FIR No. 0078/2026 dated 23/02/2026 at PS Harsh Vihar, for commission of offences under Section 85/316(2)/ 3(5) BNS, 2023 (corresponding Sections 498A/406/34) along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. The marriage between complainant (respondent No.2 herein) and petitioner No.1 was solemnized on 26.11.2015, as per Hindu rites and customs.. There is a child from the above said wedlock, who is presently in the custody of her mother i.e. respondent no. 2.
3. However, on account of temperamental differences, the parties started residing separately and in relation to a petition seeking maintenance, when the matter was taken up by the *counsellor* attached with the *Family Court, Shahdara District, Karkardooma, Delhi*, the parties were able to resolve all



their disputes and it is in the above said backdrop that the quashing is being sought.

4. As per the terms of abovesaid settlement, the child shall remain in the custody of mother, *albeit*, the father would have visitation rights.

5. Charge sheet has already been filed.

6. Petitioners are present in person.

7. Respondent no. 2 is present with her counsel. IO is also present and duly identifies Respondent No. 2

8. When asked, respondent No. 2 reiterates the terms of abovesaid settlement. She submits that there is already a divorce between them by way of mutual consent on 08.05.2026. She states that she has agreed to accept a total sum of Rs. 14,50,000 as full and final settlement in lieu of istridhan, alimony, maintenance for self (past, present and future). She submits that she has already received Rs.9,50,000 and the balance amount of Rs.5 Lakhs has been received today in the shape of Demand Draft . She states that she has entered into the abovesaid settlement out of her own free will, without any coercion and influence from any corner whatsoever and therefore, she would have 'no objection' if FIR in question is quashed.

9. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose, especially, when dispute does not involve any public interest and is, primarily, private in nature. In any case, even the complainant does not wish to press any charges against the petitioners.

10. Accordingly, exercising inherent powers vested in this Court under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, it is deemed appropriate to quash the instant FIR.



11. Consequently, to secure the ends of justice, FIR No. 0078/ 2026 dated 23/02/2026, registered at Police Station Harsh Vihar, for commission of offences under Sections 85/ 316(2)/ 3(5) BNS, 2023, along with all consequential proceedings arising therefrom, is, hereby, quashed.
12. Original affidavits of the parties and original MoU, copies of which have been placed on record in the present proceedings, shall be submitted before the learned Trial within four weeks from today, so that these become part of Trial Court Record.
13. The petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

JULY 1, 2026/NG/SY