



\$~39

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

+ **CRL.M.C. 7689/2024, CRL.M.A. 29338/2024**

VIRENDER KHITOLIYA

.....Petitioner

Through: Mr. Shakir Khan, Mr. Shoaib Akhtar
and Mr. Dilshad Khan, Advocates
alongwith petitioner in person

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Arti Singh, P.S.
Begumpur
R-2 in person (through VC)

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

02.02.2026

%

CRL.M.A. 29338/2024 (exemption)

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

CRL.M.C. 7689/2024, CRL.M.A. 29338/2024

3. By way of the present petition, the petitioner seeks quashing of FIR bearing no. 405/2020, registered at Police Station Begumpur, Rohini, New Delhi for the commission of offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (hereafter 'IPC').
4. The petitioner and respondent no. 2 (through video conferencing) are present and have been identified by their counsels and concerned



Investigating Officer (IO) from Police Station Begumpur, Rohini, New Delhi.

5. Briefly stated, facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 01.12.2019 as per the Hindu rites and customs. No child was born out of the said wedlock. After some time, due to marital disputes arose between the petitioners and respondent no. 2, both the parties could not reside with each other and since 21.03.2022, petitioner no. 1 and respondent no. 2 have started living separately from each other. Thereafter, on the complaint of respondent no.2 before the CAW Cell, Rohini Sector-3, New Delhi, the present FIR was registered against the petitioners under the relevant sections. It is stated that both the parties have amicably settled the present matter *vide* Settlement Agreement dated 07.11.2022, entered between them. It is further stated that the parties have obtained decree of divorce by way of mutual consent, from the concerned Court.

6. 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 and she has already received the amount, agreed to be paid for settlement. Respondent no. 2 further states that she has no objection if the present FIR is quashed.

7. 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.

8. Accordingly, FIR bearing No. . 405/2020, registered at Police Station Begumpur, Rohini, New Delhi for the commission of offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 02, 2026/ns/GJ