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

+ **CRL.M.C. 8114/2024**

VIKAS KUMAR & ORS.

.....Petitioners

Through: Mr. S.K. Kashyap and Mr. Romi Rana, Advocates alongwith petitioners in person

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for the State with SI Divyanshu, P.S. Dwarka North
Ms. Pragati and Mr. B.K. Pandey, Advocates for R-2 alongwith R-2 (through VC)

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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07.04.2026

CRL.M.A. 31045/2024 (exemption)

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

CRL.M.C. 8114/2024

3. By way of the present petition, the petitioners seek quashing of the FIR bearing No. 381/2023, registered at Police Station Dwarka North, Delhi, for the commission of offence punishable under Sections 498A/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 (through video-conferencing) are present before this Court and have been identified by their counsel and Investigating Officer (IO) concerned from Police Station Dwarka North, Delhi.
6. Brief facts of the case are that the marriage between the petitioner no. 1 and the respondent no. 2 was solemnized at Delhi on 10.02.2015 in accordance with Hindu rites and ceremonies at Delhi. 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 26.07.2022. Further, upon a complaint filed by respondent no. 2 before the CAW Cell, Delhi, the present FIR was registered against the petitioners. During pendency of the trial, the parties have now amicably settled their disputes before Family Court, Dwarka, New Delhi *vide* judgment dated 01.06.2024 and had dissolved their marriage by way of mutual consent.
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, though *video conferencing* 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. 381/2023, registered at Police Station Dwarka North, Delhi, for the commission of offence punishable under Sections 498A/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 07, 2026/ns/AP