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

+ **W.P.(CRL) 38/2026**

MOHIT GAUR & ORS.

.....Petitioners

Through: Mr. Durga Prasad Shukla and Mr.
Rishi Kant Tiwari, Advocates along
with petitioners-in-person.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Anand V. Khatri, ASC for the
State with Mr. Aditya Khatri,
Advocate and with SI Kailash Chand
Meena, P.S. Jaitpur.
Mr. Nitesh Saini, Advocate for R-2
with Respondent no. 2-in-person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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07.01.2026

1. By way of the present petition, the petitioners seek quashing of FIR bearing no. 333/2025, registered at Police Station Jaitpur, Delhi, for commission of offence punishable under Sections 498A/406 of the Indian Penal Code, 1860 (hereafter 'IPC').
2. Issue notice. The learned APP accepts notice on behalf of the State.
3. All the petitioners and respondent no. 2 are present before this Court and have been identified by their counsel and Investigating Officer (IO) from Police Station Jaitpur, Delhi.



4. Brief facts of the present case are that the marriage between petitioner no.1 and respondent no. 2 was solemnized on 12.05.2013 according to Hindu rites and ceremonies at Kanpur, Uttar Pradesh. One child was born out of their wedlock on 15.11.2015. Due to temperamental differences, parties started living separately since 25.05.2020. It is stated that on the complaint of respondent no. 2, the present FIR was registered. During pendency of the case, both the parties have amicably settled their disputes *vide* Settlement Agreement dated 26.06.2025 and have obtained decree of divorce, by way of mutual consent, from the concerned Court.

5. 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. It is also stated by respondent no. 2 that the entire dispute has been amicably settled between them *vide* Settlement Agreement dated 26.06.2025. Respondent no. 2 further states she has received the remaining amount of Rs. 3,20,000/- due to her, as per settlement agreement, by way of Demand Draft bearing No. 001197 drawn on Axis Bank, and she has no objection if the present FIR is quashed.

6. The learned counsel for the petitioners submits that 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 been filed and the same are on record.

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

8. Accordingly, FIR bearing no. 333/2025, registered at Police Station Jaitpur, Delhi, for commission of offence punishable under Sections 498A/406 of IPC and all consequential proceedings emanating therefrom are quashed.

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

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 07, 2026/zp
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