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

+ CRL.M.C. 526/2026

SHAH ALAM @ ATTAUSAMAD AND ORSPetitioners

Through: Petitioners with Mr. Vishal Rao, Mr. Kafil Ahmad, Mr. Nikunj Garg, Mr. Vinay Dhaka and Mr. Harsh Yadav, Advs.

versus

STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Digam Singh Dagar, APP for the State along with SI Shiv Dayal Kumar.
R-2 with her counsel

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

21.01.2026

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1. By way of the present petition, the petitioners seek quashing of FIR bearing no. 467/2019, registered at Police Station Dayalpur, Delhi, for the commission of offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (hereafter 'IPC') and the proceedings emanating therefrom.
2. 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 Dayalpur, Delhi.
3. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 18.04.2010, as per Muslim



rites and customs. It is stated that one male child was born out of the said wedlock on 15.08.2013, who is presently in the custody of petitioner no. 1 and one female child was born out of the said wedlock on 03.11.2016, who is presently in the custody of respondent no. 2. Due to temperamental differences, parties have been residing separately since 2017. It is stated that on the complaint of respondent no. 2, the present FIR was registered against the petitioners.

4. During pendency of the case, both the parties had amicably settled their disputes *vide* Settlement Deed dated 19.11.2025. The complainant is present in person alongwith her counsel, who states that she has received the balance compromise amount of Rs.2,50,000/-, by way of Demand Draft bearing No. 107507, dated 14.01.2026, drawn on HDFC Bank

5. This Court notes that the custody of male child is with petitioner no. 1 and the custody of female child is with respondent no. 2 and the future right of both the child will not be affected by virtue of this compromise.

6. 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. Respondent no. 2 further states she has no objection if the present FIR is quashed.

7. 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.

8. 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.

9. Accordingly, FIR bearing no. 467/2019, registered at Police Station Dayalpur, 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 above, the present petition stands disposed of.

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 21, 2026/A/R