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

+ **CRL.M.C. 725/2026**

SH. VIKRAM GUPTA AND ORS

.....Petitioners

Through: Petitioners with their counsel
(appearance not given).

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State along with SI Sonal Raj.
R-2 with her counsel (appearance not
given).

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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29.01.2026

CRL.M.A. 2906/2026 (delay)

1. By way of the present application, the petitioner seeks condonation of delay of 39 days in re-filing the present petition.
2. For the reasons stated in the application, delay of 39 days in re-filing the present petition is condoned.
3. The application stands disposed of.

CRL.M.C. 725/2026

4. By way of the present writ petition, the petitioners seek quashing of FIR bearing no. 754/2023, registered at Police Station Bharat Nagar, Delhi, for the commission of offence punishable under Sections 498-A/406/34 of Indian Penal Code, 1860 (hereafter 'IPC') and the proceedings emanating therefrom.



5. 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 Bharat Nagar, Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 02.03.2002, as per Hindu rites and customs. It is stated that one male child was born out of the said wedlock, who is in the custody of respondent no. 2 and is major, studying abroad. Due to temperamental differences, parties have been residing separately. It is stated that on the complaint of respondent no. 2, the present FIR was registered against the petitioners.

7. During pendency of the case, both the parties had amicably settled their disputes *vide* Memorandum of Understanding (MOU) dated 03.05.2025. The complainant is present in person alongwith her counsel, who states that she has received the balance compromise amount of Rs.88,00,000/-, by way of five Demand Drafts.

8. This Court notes that the custody of children is with respondent no. 2 and the future right of the child will not be affected by virtue of this compromise.

9. 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.

10. Though, the affidavits showing the protection of interest of 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,



although, the petitioner would be bound by it.

11. 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.

12. Accordingly, FIR bearing no. 754/2023, registered at Police Station Bharat Nagar, Delhi, for the commission of offence punishable under Sections 498-A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

4. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 29, 2026/A/R