



2026:DHC:6157



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

% *Date of Decision: 31.07.2026*

CNR No. DLHC010344122026

+ **CRL.M.C. 5474/2026 & CRL.M.A. 22849/2026**

DEVENDER SINGH & ORS.

.....Petitioners

Through: Mr. Rachit Khandelwal, Ms. Deepa Jangra, Mr. Mimansa Vashishta and Ms. Aarchi Sharma, Advocates

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State with ASI Renu

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. Petitioners seeks quashing of case FIR No. 326/2023 of PS Baba Haridas for offence under Section 498A/406/34 IPC on the ground that the complainant *de facto* (respondent no. 2) has settled all matrimonial disputes with the petitioners.

2. Learned APP assisted by IO/ASI Renu accepts notice and submits that State has no serious objection as parties are living together.

3. Respondent no. 2 present in court and identified by the IO also accepts notice.



4. Keeping in mind the circumstances of this case, I have spoken in Hindi with respondent no. 2. It is stated by her that since December, 2025, she is living happily with the petitioner no. 1, though separately from the remaining petitioners. It is also stated by her that the son born from her wedlock with petitioner no. 1 is in care and custody of petitioner no. 2 and 3 while daughter born to them is living with them only in a tenanted accommodation. The respondent no. 2 submits that she does not wish to continue prosecution of petitioners since now she is happily settled.

5. Having spoken with respondent no. 2, I am satisfied that it would be in the interest of justice not to push the parties through full dress trial. Therefore, the petition is allowed and FIR No. 326/2023 of PS Baba Haridas for offence under Section 498A/406/34 IPC is quashed.

6. However, keeping in mind the period of resumption of matrimony, coupled with the fact that petitioner no. 1 and respondent no. 2 are living in rented accommodation, in order to rule out any possibility of petitioner no. 1 deserting respondent no. 2 and their daughter, it is made clear that in case of any such exigency, the proceedings shall stand revived on the basis of fresh complaint of the respondent no. 2.

**GIRISH KATHPALIA
(JUDGE)**

**JULY 31, 2026
'rs'**