



2026:DHC:1538



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 19th February, 2026***

+ CRL.M.C. 1418/2026&CRL.M.A. 5690/2026

AMIT ARYA

.....Petitioner

Through: Mr. Anuj Sharma with Mr. Anil
Kumar Sharma, Advocates.

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Ashneet Singh, APP with SI
Manoj Kumar.
Mr. Satender Mann, Advocates.**CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Petitioners herein seek quashing of FIR No. 285/2023 dated 14.02.2023, registered at P.S. Paschim Vihar, for commission of offences under Sections 354/354A/354B/323 IPC, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.

2. Petitioner No.1 got married to respondent No.2 on 10.11.2008, as per Hindu rites and ceremonies. They were blessed with a baby boy on 23.09.2010.

3. However, due to certain temperamental differences, the parties started living separately w.e.f. 14.02.2022.

4. When respondent No.2 was alone at her home on 13.02.2023, according to her allegations, her husband forcibly entered the house and forced himself upon her, which resulted in the registration of abovesaid FIR.

5. Fact, however, remains that both the parties have settled all their



disputes.

6. The initial settlement took place on 22.01.2025 and the terms of the settlement were amended on 17.09.2025.

7. Copy of amended MoU dated 17.09.2025 is on record, as per which, the parties have agreed to divorce each other by mutual consent and respondent No.2 has also given her no objection if the custody of their son remains with the petitioner i.e. father. She also abandons her claim, right, title or interest in the property situated at Paschim Vihar.

8. Respondent No. 2 is present in Court with her counsel.

9. Evidently, both the parties have been able to settle all their matrimonial disputes and have agreed to part ways in a graceful manner.

10. Respondent No.2 has also filed an affidavit, stating therein, that since she has compromised and settled all her matrimonial claims and disputes without any threat, force or coercion from any side in any manner, whatsoever and has no grievance against the petitioner, she would have no objection if the present FIR is quashed.

11. The Investigating Officer (I.O.) is present and identifies respondent No.2.

12. When asked, Respondent No.2 reiterated the terms of such settlement and submitted that marriage has been dissolved by decree of divorce dated 29.11.2025 by mutual consent under Section 13B(2) of Hindu Marriage Act, 1955.

13. Chargesheet has already been filed, *albeit*, for aggravated offence of Section 376 B IPC also and the case is before the concerned Court of Sessions for consideration of charges.

14. Fact remains that the offences are matrimonial in nature, though, in



2026:DHC:1538



aggravated form as the alleged act of sexual assault, which has been attributed to the petitioner, took place when the parties were living separately. Admittedly, there is no order or decree of *judicial separation* as such.

15. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose.

16. Accordingly, exercising inherent powers vested in this Court under Section 528 of the BNSS, it is deemed appropriate to quash the instant FIR.

17. Consequently, to secure ends of justice, FIR No. 285/2023 dated 14.02.2023, registered at P.S. Paschim Vihar, for commission of offences under Sections 354/354A/354B/323 IPC, along with all consequential proceedings emanating therefrom, is hereby, quashed subject to petitioner depositing cost of Rs.20,000/- with *Delhi High Court Staff Welfare Fund* [Account no. 15530110074442: IFSC UCBA0001553] within two weeks from today.

18. The petition stands disposed of in aforesaid terms.

19. Pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

FEBRUARY 19, 2026/sw/pb