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

% *Date of Decision: 30th April, 2026*

+ CRL.M.C. 1197/2026 & CRL.M.A. 4792/2026

ASHOK KUMAR & ORS.

.....Petitioners

Through: Mr. Girish Bhardwaj with Mr. Amit Sheoran, Advocates with petitioner Nos.1 and 3 in person.

versus

STATE (GNCT OF DELHI) THROUGH S.H.O. & ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for the State with ASI Shri Krishan, CAW Cell Dwarka, SI Krishna, PS Dwarka.
Mr. Gagandeep Kulyana,
Ms. Manisha Saharan and
Mr. Abhishek Sharma, Advocates for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein seek quashing of FIR No. 314/2021 dated 02.08.2021, registered at Police Station Sector 23, Dwarka, for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.
2. Marriage between petitioner No. 3 and respondent No. 2 was solemnized on 13.12.2017, as per Hindu rites and customs. They were blessed with a baby girl, who is presently with the father i.e. petitioner No.3 herein.
3. However, on account of some matrimonial discord and temperamental



differences, respondent No. 2 reported the matter to the police which resulted in registration of aforesaid FIR.

4. Charge-sheet has already been filed.

5. Fact, however, remains that parties have been able to settle all their matrimonial disputes and have entered into *Memorandum of Understanding* on 07.01.2025.

6. It is in the abovesaid backdrop that quashing is being sought.

7. Petitioner No.1 and petitioner No.3 are present in person. Petitioner No.2 is not present as she is indisposed.

8. Respondent no. 2 is present in person and she has been duly identified by her counsel as well as by Investigating Officer.

9. When the present matter was taken up by this Court on 12.02.2026, respondent No.2 had appeared and submitted that she had relinquished all her claims towards *istridhan*, alimony, jewellery, maintenance (past, present and future). However, since by that time the parties had not taken divorce by mutual consent, the matter was deferred. It has now been informed that the parties have taken divorce by mutual consent and decree has been passed by learned Additional Principal Judge, Family Court, Rewari on 09.04.2026.

10. A copy of such decree has also been shown and the same is directed to be taken on record.

11. When asked, respondent No. 2 reiterates the terms of abovesaid settlement. She submits that she has relinquished all her claims towards *istridhan*, alimony, jewellery, maintenance (past, present and future). She states that she has entered into the abovesaid settlement out of her own free will, without any coercion and influence from any corner whatsoever and therefore, she would have '*no objection*' if FIR in question is quashed.



12. As per settlement terms, custody of their daughter would remain with father i.e. petitioner No.3.
13. Petitioner No.3 submits that he would have no objection if respondent No.2 wants to meet her daughter, as per mutual convenience.
14. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose, especially, when dispute does not involve any public interest and is, primarily, private in nature. In any case, even the complainant does not wish to press any charges against the petitioner.
15. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIR.
16. Consequently, to secure the ends of justice, FIR No. 314/2021 dated 02.08.2021, registered at Police Station Sector 23, Dwarka, for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom, is, hereby, quashed.
17. Original *Memorandum of Understanding* (MoU) dated 07.01.2025 as well as original affidavits of the parties shall be submitted before the learned Trial Court within four weeks.
18. The petition stands disposed of in aforesaid terms.
19. Pending application also stands disposed of.

(MANOJ JAIN)
JUDGE

APRIL 30, 2026/st/js