

(2026) 03 DEL CK 0560

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 2172 Of 2026

Gaurav Sharma & Ors

APPELLANT

Vs

State Of Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 24-03-2026

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code, 1860 — Section 34, 406, 498A

Citation : (2026) 03 DEL CK 0560

Hon'ble Judges : Manoj Jain, J

Bench : Single Bench

Advocate : Anshul Kaushik, Raj Kumar

Final Decision : Disposed Of

Judgement

Manoj Jain, J

1. Petitioners herein seek quashing of FIR No. 06/2021 dated 02.01.2021, registered at Police Station Harsh Vihar 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. The marriage between complainant (respondent No.2 herein) and petitioner No.1 was solemnized on 23.11.2015, as per Hindu traditions, rites and customs. They were blessed with a baby boy from the abovesaid wedlock in the year 2016.
3. However, on account of temperamental differences, the parties started residing separately and on account of such matrimonial discord, a complaint was lodged by respondent No.2, which resulted into registration of the abovesaid FIR.
4. Charge-sheet has yet not been filed.
5. Fortunately, parties have entered into amicable settlement and copy of Memorandum of Settlement (MoU) dated 06.06.2023 has been placed on record. As per terms of such settlement, parties have already withdrawn their other

respective cases, and have already obtained divorce by way of mutual consent on 26.08.2023.

6. The custody of their son shall remain with Mother-respondent No.2, with no visitation rights to Father/petitioner no.1 or the family members of respondent No.2, as per the terms of the MoU dated 06.06.2023.

7. Petitioner Nos. 1 and 2 are present in Court and respondent No.2 has joined the proceedings through video conferencing, her counsel is present in court.

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

9. During the course of consideration, when asked, Respondent No.2 reiterated the terms of settlement and stated that she has already agreed to accept a sum of Rs. 7,00,000/- as full and final settlement in lieu of alimony, istridhan, maintenance (past, present and future). She states that she has already received the entire such amount. She also reveals that all other civil matters have already been withdrawn and the parties have already taken divorce by way of mutual consent. She states that as per the terms of abovesaid settlement, the custody of their son would remain with her, with no visitation rights to petitioners. She submits that all the requisite steps have been taken by the parties in terms of settlement and that she has entered into the abovesaid settlement out of her own free will and without any coercion and influence from any corner whatsoever and therefore, she would have 'no objection' if FIR in question is quashed. Her affidavit to abovesaid effect is also on record.

10. Keeping in mind the overall facts of the case and the fact that parties have settled their all disputes amicably and respondent no. 2 does not want to pursue her complaint against petitioners herein, continuing with criminal proceedings would serve no useful purpose. Moreover, the dispute does not involve any public interest and is private in nature.

11. 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.

12. Consequently, to secure the ends of justice, FIR No. 06/2021 dated 02.01.2021, registered at Police Station Harsh Vihar for commission of offences under Sections 498A/406/34 IPC, along with all consequential proceedings arising therefrom, is hereby quashed

13. Original MoU dated 06.06.2023 alongwith the original affidavits of the parties, copies of which have been placed on record in the present proceedings, shall be submitted before the concerned SHO/IO within four weeks from today.

14. The petition stands disposed of in aforesaid terms.