

Sumit Dass and Ors vs the State Nct of Delhi and Anr

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Court : Delhi Orders

Decided On : Feb-26-2026

Judge : Hon'Ble Dr. Justice Swarana Kanta Sharma

Appeal No. : W.P.(CRL)/683/2026

Appellant : Sumit Dass and Ors

Respondent : The State Nct of Delhi and Anr

Advocate for Pet/Ap. : Mr. S.S. Raghav, Mr. Sanjay Lao

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 683/2026 SUMIT DASS AND ORS.Petitioners Through:
Mr. S.S. Raghav, Advocate alongwith petitioners in person

versus

THE STATE NCT OF DELHI AND ANR.Respondents Through: Mr.
Sanjay Lao, ASC for the State with SI Dinesh Kumar, P.S. Kashmere
Gate R-2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% 26.02.2026 CRL.M.A. 6364/2026 & CRL.M.A. 6365/2 (exemption)

1. Allowed, subject to all just exceptions.

2. Applications stand disposed of.

W.P.(CRL) 683/2026

3. By way of the present petition, the petitioners seek quashing of FIR

bearing no. 301/2023, registered at Police Station Kashmeri Gate, New Delhi, for the commission of offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (hereafter IPC) and the proceedings emanating therefrom.

4. 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 Kashmeri Gate, New Delhi.

5. Brief facts of the present case are that the marriage between the

petitioner no. 1 and respondent no. 2 was solemnized on 14.11.2019, as per Hindu rites and customs at Delhi. It is stated that one female child was born out of the said wedlock, who is presently in the custody of respondent no. 2. It is stated that due to some disputes and differences

which had arisen between the parties, both the parties started residing separately since 15.03.2022. On the complaint of respondent no. 2, the present FIR was registered against the petitioners.

6. During the pendency of the case, with the intervention of family

friends, relatives and well wishers, both the parties amicably settled their disputes before Supreme Court Mediation Centre, New Delhi vide Settlement Agreement dated 28.08.2025. Thereafter, both the parties had dissolved their marriage by way of mutual consent before the concerned Court.

7. The respondent no. 2 is present in person alongwith her counsel, who

states that she has received an amount of Rs.6,50,000/- by way of Fixed Deposit through Kisan Vikas Patra dated 16.01.2026, which she was to receive at the time of quashing of the FIR.

8. This Court notes that the custody of minor child is with respondent

no. 2 and the future rights 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. The learned counsel appearing for the petitioner submits that the

affidavits showing the protection of interest of minor child, as per the

**judgment titled as Ganesh vs. Sudhirkumar Shrivastava: (2020)
20 SCC**

787 passed by the Honble Supreme Court, have been filed and the same are on record.

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. 301/2023, registered at Police Station

Kashmeri Gate, New Delhi, for the commission of offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

13. In view of above, the present petition alongwith pending application,

if any, stands disposed of.

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 26, 2026/ns/R