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

+ **CRL.M.C. 478/2025**

MAZHAR KHAN

.....Petitioner

Through: Mr. Ishan Jain, Adv alongwith
Petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for State
with SI Bal Ram.
R2 in person with counsel Mr.Rashid
Ali, Adv.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **29.05.2025**

CRL.M.A. 2305/2025 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 478/2025

1. The Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'CrPC'*)/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioner for quashing of FIR No. 288/2021 under Sections 498A/511 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), registered at Police Station Khyala, West District, Delhi and all the proceedings emanating therefrom, in terms of the Settlement dated 06.12.2024.

2. Brief facts of the case are that the marriage was solemnized between



Petitioner/husband and the Respondent No. 2/wife on 02.04.2017, according to the Muslim rites and customs. A girl child was born out of wedlock of the Petitioner and the respondent No.2. It is further submitted that on 05.04.2021, on the Complaint of the Respondent No. 2, FIR No. 288/2021 under Sections 498A/511 of the IPC, got registered at Police Station Khyala.

3. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner. It is stated that the Petitioner and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Memorandum of Settlement (MOU) dated 08.02.2024. In terms of the MOU dated 08.02.2024, the Statement of the parties have already been recorded. In the MOU, it was *inter alia* settled between the parties that the Respondent No. 2/wife and the Petitioner/husband shall dissolve their marriage by Khula Talaqnama and dissolve their marriage mutually. Pursuant to the settlement Deed dated 25.09.2024, the respondent No. 2/complainant has already received a demand draft bearing No. 505733 dated 03.05.2025 for a sum of Rs.5 lakhs drawn on ICICI Bank on 08.05.2025. As per the terms of settlement deed, entire payments have been received and nothing remains to be paid by the petitioner. In view of the Settlement Deed dated 25.09.2024, the present Petition has been filed.

4. The parties are present before this Court in-person today and have been identified by their learned Counsel and Investigating Officer concerned. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily.

5. The parties have undertaken to remain bound by the terms of the Settlement.



6. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 25.09.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

7. The present Petition has been signed by the Petitioner and is supported by his Affidavit. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 25.09.2024 and they also submit that the said Settlement dated 25.09.2024 has been arrived at between the parties, without any pressure and coercion.

8. Today, the Respondent No. 2/wife, who is present in the Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

10. Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

11. Accordingly, FIR No. 288/2021 under Sections 498A/511 IPC registered at Police Station Khyala, West District, Delhi and all consequential proceedings emanating therefrom are quashed.

12. The petition along with the application, if any stand disposed of.

NEENA BANSAL KRISHNA, J

MAY 29, 2025/sk