



2025:DHC:4732



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of decision: 19.05.2025**

+ CRL.M.C. 756/2025

SALEEM & ORS.

.....Petitioners

Through: Mr. Kumar Utkarsh & Mr.
Manoj Kumar, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP for
State.WSI Sangeeta PS Shahbad
Dairy.**CORAM:****HON'BLE MS. JUSTICE SHALINDER KAUR****SHALINDER KAUR, J (ORAL)**

1. The present petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the FIR No.1037/2015 dated 05.09.2015 for offences under Sections 498A/406/34, registered at Police Station Shahbad Dairy ("subject FIR") and all consequential proceedings arising therefrom.

2. The learned counsel for the petitioners submits that the petitioner no. 1 is the husband of respondent no. 2 and their marriage was solemnized on 07.11.2015, as per the Muslim rites and customs. The petitioner no. 2, petitioner no. 3 and petitioner no.4 are the mother-in-law, sister-in-law and brother-in-law, respectively, of the respondent no. 2. A girl child, namely, Aashiya, was born out of the said wedlock. Subsequent thereto, he submits, the temperamental differences developed between the petitioners and respondent no. 2,



2025:DHC:4732



coupled with the raising demands for dowry and increasing harassment, led to the registration of the subject FIR and filing to the litigations by the respondent no. 2.

3. The learned counsel further submits that during the pendency of the litigation, the parties were referred to the Counselling Cell, Karkardooma Court, Delhi, wherein with the intervention of family members, relatives, and mutual acquaintances, the parties have arrived at an amicable and voluntary resolution of all disputes persisting between them and have stated to be living separately.

4. The present petition is premised on the assertion that the dispute *inter se* the parties stand amicably resolved, of their own volition, uninfluenced by any coercion, compulsion or undue inducement. In furtherance thereof, a Settlement dated 05.06.2024, has been duly executed between the petitioners and respondent No. 2 before the Counselling Cell, learned Principal Judge, Family Courts, East District, Karkardooma Courts, Shahdara, Delhi. It is further submitted that, in terms of the said settlement, the respondent No. 2 has undertaken to withdraw all proceedings presently pending before various judicial fora.

5. As per the terms of the Settlement, the petitioner no.1 has agreed to pay a total sum of Rs. 5,50,000/- to the respondent no. 2, as a full and final settlement of all her claims including maintenance (past, present and future), permanent alimony, *stridhan*, in three (03) installments. It is also agreed that the minor daughter, namely, Aashiya, aged about 10 years shall remain in care and custody of respondent no.2 and petitioner no.1 will have no visitation rights to



2025:DHC:4732



meet his daughter. The said Settlement dated 05.06.2024 embodying the terms of settlement has been placed on record.

6. Subsequent thereto, the marriage of the petitioner no. 1 and respondent no. 2 has been dissolved *vide Talaqnama* dated 24.04.2025, through the QUAZI in the presence of the witnesses at Masjid-v-Madarsa Mustafa Raza, New Delhi.

7. Pursuant to this Settlement, the Statement of the parties have been recorded by the Joint Registrar (Judicial) on 27.02.2025 and they have been duly identified by the Investigating Officer and their respective counsels. The respondent no. 2, in her statement before the Joint Registrar (Judicial), has stated therein, that she stated that she has received Rs. 3,50,000/- and a demand draft of Rs. 2,00,000/- has been handed over to her. Furthermore, she has no objection if the subject FIR and all the consequential proceedings emanating therefrom is quashed, subject to realization of the demand draft, which factum was verified by the Joint Registrar on 10.03.2025, thus, nothing remains due.

8. Before this Court, the Investigating Officer has again identified the parties and they have confirmed that they are abiding by all the terms of the Settlement.

9. The respondent no. 2, who is present in court, upon being queried, confirms that she entered into the said Settlement out of her free will, without any coercion, force or undue influence and that she has withdrawn the litigations filed by her before different Judicial fora and no other litigation remains pending between the parties. She stated that she has received the entire settlement amount and is living



2025:DHC:4732



separately with the petitioner no.1. Furthermore, she has no objection if the subject FIR and all consequential proceedings arising therefrom are quashed.

10. In view of the foregoing, the learned counsel for the parties, jointly prayed for quashing of the subject FIR.

11. The learned APP on behalf of the state submits that there is no objection if the subject FIR is quashed.

12. In view of these circumstances, in line with the law laid down by the Supreme Court *in Gian Singh vs. State of Punjab & Anr.*: (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.*: (2014) 6 SCC 466, this Court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. In light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be a futile exercise and would not be conducive to peace and harmony between the parties.

13. In conspectus of the above facts and the Settlement dated 05.06.2024, the subject FIR bearing No.1037/2015 dated 05.09.2015 for offences under Sections 498A/406/34, registered at Police Station Shahbad Dairy and all consequential proceedings emanating therefrom, are hereby quashed.

14. The present petition is, accordingly, disposed of, in the aforesaid terms.

SHALINDER KAUR, J

MAY 19, 2025/ab/kp

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