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

+ **CRL.M.C. 1819/2025**

KHIZAR ALI & ORS.

.....Petitioners

Through: Mr. Junaid Alam, Advocate alongwith
petitioners in person.

versus

THE STATE & ANR.

.....Respondents

Through: Mr. Satinder Sing Bawa, APP for the
State.

SI Onkar, PS Badarpur.

Mr. Faraz Khan, Advocate for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

27.03.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 8251/2025 (exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.C. 1819/2025

3. The present petition filed under Section 528 of the BNSS (Section 482 Cr.P.C.) seeks quashing of FIR No. 177/2023, under Sections 498A/406/34 of the IPC, registered at P.S. Badarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Anam Rais Khan, learned JMFC, Saket Courts, Delhi.

4. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 09.11.2019 as per Muslim rites and customs and two daughters were born out of the said wedlock.



5. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the parties residing separately. Subsequently, respondent no.2/complainant registered an FIR against the petitioners.

6. Learned counsel for the petitioner submits that in pursuance of the compromise certificate/settlement deed recorded before the Counselling Cell, Saket Courts, parties arrived at a settlement and parties started living together alongwith their minor daughters.

7. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Onkar, PS Badarpur.

8. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 since October, 2024 at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

9. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

10. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings.”

11. In view of the aforesaid circumstances, and the fact that the parties have



put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 177/2023, under Sections 498A/406/34 of the IPC, registered at P.S. Badarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Anam Rais Khan, learned JMFC, Saket Courts, Delhi.

12. In the interest of justice, the petition is allowed, and the FIR No. 177/2023, under Sections 498A/406/34 of the IPC, registered at P.S. Badarpur and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Anam Rais Khan, learned JMFC, Saket Courts, Delhi, is hereby quashed.

13. Petition is allowed and disposed of accordingly.

14. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MARCH 27, 2025/sn/pr

Click here to check corrigendum, if any