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

+ **CRL.M.C. 1847/2025**

MOHD. FAISAL AND OTHERS & ORS.Petitioners

Through: Ms. Glory Rana, Advocate with
Petitioners.

versus

STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Heera Lal, D-6710, PS
Wazirabad.

Mr. Zahid Ali Gahlot, Advocate for
R2 with R2.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **02.04.2025**

CRL.M.A. 8372/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

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3. The Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (*old Section 482 of the Code of Criminal Procedure, 1973*) has been filed on behalf of the Petitioners, seeking to quash the FIR No. 1017/2023, under Sections 406/498A/34 of the Indian Penal Code, 1860 (*hereinafter referred to as*



“IPC, 1860”) at Police Station Wazirabad and all the proceedings emanating therefrom.

4. Issue notice.

5. Mr. Shoaib Haider, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.

6. Brief facts of the case are that the marriage was solemnized between the Petitioner No. 1 and the Respondent No. 2 on 03.12.2022 at Delhi, according to Muslim Rites and ceremonies and no child was born out of the said wedlock.

7. It is further submitted that on the Complaint of the Respondent No. 2, an FIR bearing No. 1017/2023, under Sections 406/498A/34 of the IPC got registered at Police Station Wazirabad. It is submitted that the Respondent No. 2 has filed a Petition under Section 12 of the D.V. Act against the Petitioners and also filed a Petition under Section 125 of CrPC against the Petitioner No. 1.

8. It is stated that the Petitioner No. 1/husband and the Respondent No. 2/wife have amicably settled all the disputes and differences between them and arrived at Settlement Deed (*MUBARAT*) dated 25.09.2024, before the learned JMFC, Mahila Court-03, Central District, Tis Hazari Courts, Delhi wherein it was *inter alia* settled between the parties that they had agreed to dissolve their marriage by way of ‘MUBARAT’ and have released each other from the bond of marriage, which was solemnized on 03.12.2022. The copy of the Mubaratnama/Settlement Deed containing all the terms, has been placed on record. It is stated in the Settlement Deed that the Respondent No. 2/wife and the Petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. It is further stated that the Petitioner



No. 1/husband shall pay a sum of Rs. 6,80,000/- towards full and final settlement of all the claims of the Respondent No. 2/wife, in three instalments with regard to the past, present and future alimony/maintenance, Mehar Amount as well as Istridhan Articles including jewellery articles. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.2,00,000/- at the time of signing of the present deed of Mubarat/Settlement as well as withdrawal of the Case under Section 12 of D.V. Act on 25.10.2024. The second instalment of Rs.2,00,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2 at the time of withdrawal of Petition under Section 125 of CrPC Act and the third instalment of Rs.2,80,000/- shall be paid by the Petitioner No. 1 to the Respondent No. 2 at the time of disposal/quashing of the aforesaid FIR.

9. It is also stated that on 25.10.2024, the marriage between the Petitioner No. 1 and the Respondent No. 2 had been dissolved by way of executing a Mubaratnama.

10. In view of the Settlement Deed dated 25.09.2024, the present Petition has been filed.

11. The parties are present before this Court in-person today, and have been identified by their Counsel and Investigating Officer concerned. The parties undertake to remain bound by the terms of the Settlement. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily. Statement of the parties have already been recorded before the learned Joint Registrar.

12. 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 abovesaid FIR.



13. The present Petition has been signed by all the Petitioners and is supported by their respective Affidavits. 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 Deed dated 25.09.2024 has been arrived at between the parties without any pressure and coercion.

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

15. 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.

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

17. Accordingly, the FIR bearing No. 1017/2023, under Sections 406/498A/34 of the IPC got registered at Police Station Wazirabad. and all consequential proceedings emanating therefrom are quashed.

18. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

APRIL 2, 2025/RS