



\$~48

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

+ **CRL.M.C. 1937/2025, CRL.M.A. 8724/2025**

SHAWEZ @ GUDDU & ORS.

.....Petitioners

Through: Mr. Maroof Ahmad and Mr. Gaffar Hussain, Advocates with Petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP with SI Rajiv Kumar, ASI Shokuntla, PS: Dayalpur.
Mr. Pavitra Veer Singh, Advocate for R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

10.07.2025

CRL.M.A. 8725/2025

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

CRL.M.C. 1937/2025, CRL.M.A. 8724/2025

3. Petition under Section 528 BNSS has been filed on behalf of the Petitioners for quashing of FIR No.0245/2019, under Sections 498A/406/34 IPC, registered at PS: Dayal Pur and all the consequential proceedings emanating therefrom, in view of the Settlement Agreement dated 04.05.2024.
4. Issue Notice.
5. On advance Notice, learned APP for the State and learned counsel for Respondent No.2 have appeared and accept the Notice.



6. Brief facts of the case are that the marriage was solemnized between the Petitioner No.1/husband and the Respondent No. 2/wife on 29.08.2014, according to the Muslim rites and ceremonies and no child was born out of the said wedlock. Due to temperamental differences, the Petitioner No. 1 and the Respondent No. 2 started living separately since 2018.

7. On the Complaint of the Respondent No.2/wife, FIR No.0245/2019, under Sections 498A/406/34 IPC, registered at PS: Dayal Pur.

8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner No.1. It is stated that the Petitioner No. 1 and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement out of the Court vide Memorandum of Understanding/Settlement Deed dated 04.05.2024.

9. In terms of the Settlement dated 04.05.2024, the Statements of the parties have already been recorded before the learned JR.

10. In the Settlement, it was *inter alia* settled between the parties that the Respondent No.2/wife and the Petitioner/husband shall dissolve their marriage by mutual consent. It is stated that the Petitioner/husband shall pay a sum of Rs.7,25,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, balance *stridhan* and alimony of the Respondent No.2/wife, in five installments. It is also stated that the Petitioner/husband shall pay first installment of Rs.1,50,000/- to Respondent No. 2/wife at the time of First Talaq; second installment of Rs. 1,50,000/- at the time of Second Talaq; third installment of Rs.1,50,000/- at the time of Third Talaq; fourth installment of Rs.1,00,000/- at the time of withdrawing Execution Petition and fifth



installment of Rs.1,75,000/-, at the time of quashing the aforesaid FIR. It is also submitted that the parties shall withdraw all the proceedings pending against each other.

11. Today, the Petitioner No. 1/husband has paid Rs.1,75,000/- in cash Respondent No. 2/wife. 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 said FIR is quashed.

12. It is also stated that on 20.01.2025, the marriage between the Petitioner No.1 and the Respondent No. 2, had been dissolved by mutual consent, as per the Hindu law.

13. The Statement of the parties have already been recorded before the learned Joint Registrar. They have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

14. Considering that the parties have settled the matter, FIR No.0245/2019, under Sections 498A/406/34 IPC, registered at PS: Dayal Pur and all the consequential proceedings emanating therefrom are quashed.

15. The Petition alongwith pending Application is disposed of accordingly.

NEENA BANSAL KRISHNA, J.

JULY 10, 2025/R