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

+ **CRL.M.C. 1975/2025**

SAJID AHMED AND ANOTHER

.....Petitioners

Through: Ms. Utsa Srivastava, Advocate along
with petitioners-in-person.

versus

STATE OF NCT DELHI AND ANOTHER

.....Respondents

Through: Mr. Rajkumar, APP for the State with
SI Pardeep Malik PS Jamia Nagar.
Mr. Abhishek Saxena, Ms. Muskan
Varshney, Advocates for R-2 along
with R-2-in-person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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30.05.2025

CRL.M.A. 8876/2025 (exemption)

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

CRL.M.C. 1975/2025

3. By way of the present petition, the petitioners seek quashing of the FIR bearing No. 1341/2016, registered at Police Station Jamia Nagar, Delhi, for the commission of offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. Mr. Rajkumar, the learned APP accepts notice on behalf of the State.



5. Petitioners are present before this Court and have been identified by their counsel and Investigating Officer (IO) concerned.

6. Brief facts of the case are that the marriage between petitioner no. 1 and respondent no. 2 had been solemnized at Delhi on 24.05.2013, in accordance with Muslim rites and ceremonies. It is stated that one male child was born out of the said wedlock. It is further stated that matrimonial disputes had arisen between the parties due to which they have been residing separately. Upon the complaint being filed by respondent no. 2, the present FIR came to be registered against the petitioner. After investigation, chargesheet was filed before the concerned Court. It is stated that with the intervention of family and friends, the parties have now amicably settled their disputes before Mediation Centre, Saket Courts *vide* Settlement Agreement dated 13.12.2024 and both the parties had obtained a decree of divorce by way of mutual consent from the concerned Court.

7. On a query made by this Court, respondent no. 2 who has been identified by the IO concerned, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. Therefore, she has no objection if the present FIR is quashed. The statement of the parties to the said effect had been recorded by the learned Joint Registrar (Judicial) on 28.05.2025 and it is also stated that all the matrimonial cases have also been settled between both the parties.

8. In view of the above, that the parties have amicably resolved their differences of their own free will, and without any coercion, and no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.



There is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing No. 1341/2016, registered at Police Station Jamia Nagar, Delhi, for the commission of offences punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed, subject to the fact that the rights of the child will not get affected as per the judgment passed by the Hon'ble Supreme Court titled as ***Ganesh vs. Sudhirkumar Shrivastava, (2020) 20 SCC 787.***
10. In view of above, the present petition stands disposed of.
11. The order be uploaded on the website forthwith.

MAY 30, 2025/zp

DR. SWARANA KANTA SHARMA, J

[Click here to check corrigendum, if any](#)