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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2224/2025**

ZAHID KHAN & ORS.

.....Petitioners

Through: Mr.Abbas Khan and Mr.Zuhaib Khan,
Advocates alongwith petitioners

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr.Digam Singh Dagar, APP for the
State alongwith SI Veena, P.S.-
Jafrabad
Mr.Kaushal Sharma, Advocate for R-
2 alongwith R-2

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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03.09.2025

CRL.M.A. 10008/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 2224/2025 & CRL.M.A. 10009/2025 (Delay)

1. Petitioners herein seek quashing of an FIR No.568/2017 dated 09.10.2017 for the alleged offences punishable under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Jafrabad, along with any consequential proceedings arising therefrom, on the basis of a compromise between the parties.
2. The petitioner no. 1 (husband) and respondent no.2/complainant (wife) got married on 08.04.2015 according to Muslim rites and ceremonies. No child is born from the wedlock. However, due to temperamental



differences, the couple has been living separately since 05.03.2016.

3. Learned counsel for the petitioners submits that the parties have now amicably settled the matter *vide* Settlement Agreement/MoU dated 18.11.2023, duly signed by both parties before the Mediation Centre, Karkardooma Courts, Delhi (**Annexure P-3**).

3.1 He further submits that pursuant to the settlement, marriage between the petitioner No.1 and respondent no.2 has already been dissolved by a decree of divorce as per Islamic Law.

4. In the aforesaid backdrop, I have heard learned counsel for the petitioners and respondent no. 2 as well as perused the material available on record.

5. The parties are present in Court, and I have interacted with them. Upon a query put to Respondent No. 2, she candidly submits that she has amicably resolved her differences with her husband and has entered into the settlement out of her own free will, without any pressure, coercion, or undue influence. She further states that pursuant to the settlement, the petitioner no.1 has complied with the terms of the settlement to her satisfaction and nothing remains payable to her. She also states that in view of the settlement, she does not wish to continue with the proceedings against the petitioners.

6. In view thereof, since respondent no. 2 does not wish to press charges against the petitioners and in the absence of any incriminating material against them, coupled with the fact that the parties have dissolved their marriage, the proceedings would amount to an abuse of the process of law.

7. In these circumstances, pursuing the criminal case would serve no useful purpose, would unnecessarily burden the judicial system, and may



even rekindle hostility between the parties, thereby defeating the very object of the settlement.

8. Thus, in the larger interest of justice, and in exercise of the inherent powers vested in this Court, it is deemed expedient to quash the FIR in question arising out of matrimonial dispute between the private parties. Reference may also be made to the judgment of the Supreme Court in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]***.

9. Consequently, the instant petition is allowed. The criminal proceedings arising out of FIR No.568/2017 dated 09.10.2017 for the alleged offences punishable under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Jafrabad, along with all consequential proceedings arising therefrom, are hereby quashed.

10. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

SEPTEMBER 3, 2025/dy