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

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Date of decision: 29.04.2025

+ CRL.M.C. 2241/2025

FAHEEM AHMAD & ORS.

.....Petitioners

Through: Mr. Raj Kumar Jain, Adv along
with Petitioner nos.1-6 in
person.

versus

STATE (NCT OF DELHI) & ANR.

... Respondents

Through: Mr. Satinder Singh Bawa, APP
with Inspector Sandeep, PS-
Bhajan Pura.
Mr. Rahul Kumar, Adv. for R2
along with R2 in person.

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT (ORAL)

RAVINDER DUDEJA, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0260/2018, dated 19.05.2018, registered at P.S Bhajan Pura under sections 498A/406 IPC and sections 3/4 of the Dowry Prohibition Act, 1961 and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 27.05.2015 as per Muslim rites and ceremonies at



Delhi. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 21.02.2016. Thereafter, Respondent No.2 filed a petition for maintenance under section 125 Cr.P.C., an execution petition No. 461/2023 and also lodged the aforesaid FIR against Petitioner No. 1 and his family members. The Petitioner No.1 filed petition in case MT No. 516/2024 under section 127(1) Cr.P.C. against the Respondent No.2.

3. During the proceedings, the parties were referred to mediation by the Family Court, Karkardooma Courts, Delhi where they amicably resolved their disputes and executed a Compromise/Settlement Deed dated 30.01.2025. In pursuance of the Settlement, the parties have dissolved their marriage by a mutual divorce deed/Talaaqnama dated 15.02.2025. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement have been fulfilled including the payment of the total settlement amount of Rs. 8,00,000/- (Rupees eight lacs) as per the schedule mentioned in the Settlement Deed. The copy of Compromise/Settlement Deed dated 30.01.2025 has been placed on record as Annexure P-3.



4. The matter was placed before the Joint Registrar, who has recorded the statements of both the parties and passed the following orders:-

“02.04.2025

Today, statement of respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 lodged FIR No. 0260/2018, Under Section 498-A/406/34 IPG. was registered at PS Bhajanpura Delhi, Delhi and charge sheet has been filed in this case.

Respondent no. 2 states that she has voluntarily and without any pressure or coercion from anyone and after obtaining due legal advice settled all her issues and disputes with the petitioners and out of her free will have entered into Mediation Settlement dated 31.01.2025 with the petitioners, which is on record as Annexure P-3 at page 59 to 66 bearing her signatures.

As per the settlement, Respondent no. 2 has already received entire settlement sum of Rs. 8,00,000/-, Respondent no. 2 has no objections, if the FIR No. 0260/2018, Under Section 498-A/406/34 IPG, registered at PS Bhajanpura Delhi, Delhi and all proceedings emanating there from are quashed against the petitioner.

This settlement amount is towards settlement of all her articles and Stridhan as well as towards her alimony and maintenance past, present and future whatsoever and Respondent no. 2 shall not claim anything in this regards in future by way of any litigation. Respondent no. 2 shall abide by all the terms of the settlement and fully cooperate in quashing of the present FIR.

There is no child born out the wedlock.



As per the terms of the settlement. Respondent no. 2 has already withdrawn all other cases instituted by Respondent no. 2 against the petitioner. Respondent no. 2 further states that she undertakes to withdraw any other case, if any remaining.

The petitioner has already divorce me in accordance with Muslim personal Law. The Talaqnama/mutual divorce deed is on record at page 76 onwards.

Now, Respondent no. 2 has no objection whatsoever if the present FIR against the petitioner is quashed and Respondent no. 2 shall fully cooperate in quashing of the present FIR and raise no claim in future through any civil or criminal litigation with regards to the incident relating to the present FIR. Respondent no. 2 has also given her affidavit in support of the present petition which is at page no. 37-39 of the petition bearing her signatures.

Respondent no. 2 has been identified by his counsel.

This pre verified report along with the petition may be placed before the Hon'ble Court on 29th April, 2025 alongwith the statements recorded today.

5. Petitioner Nos.1-6 and the respondent no.2 are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer Inspector Sandeep from PS Bhajan Pura.

6. Respondent No.2 submits that the matter has been settled with the petitioners without any force, fear, coercion and she has received the payment of the entire settlement amount of Rs. 8,00,000/- from the Petitioner No.1 as per the schedule mentioned in the Compromise/Settlement Deed dated 30.01.2025. She further submits that she has no objection if the FIR No. 0260/2018 alongwith charge sheet is quashed against the petitioners.



7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0260/2018 alongwith charge sheet is quashed.

8. In ***Gian Singh vs 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."

9. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0260/2018, dated 19.05.2018, registered at P.S Bhajan Pura under sections 498A/406 IPC and sections 3/4 of the Dowry Prohibition Act, 1961 and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and the FIR No. 0260/2018, dated 19.05.2018, registered at P.S Bhajan Pura under sections 498A/406 IPC and sections 3/4 of the Dowry Prohibition Act,



1961 along with the charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

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

RAVINDER DUDEJA, J

APRIL 29, 2025/ak

