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

+ CRL.M.C. 2300/2025

MD. PARVEZ ALI & ANR.

.....Petitioners

Through: Mr. Harsh Goyal, Advocate.  
versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Y.S. Chauhan, APP for the State  
with SI Akshay Dagar, PS Shaheen  
Bagh.  
Mr. Abudl Qadir, Ms. Shawariya  
Muzaffar and Mr. Azhar Khan,  
Advocates for R2.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

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**27.05.2025**

**CRL.M.A. 10371/2025 (Exemption)**

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

**CRL.M.C. 2300/2025**

3. The Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.' (old Law under Section 482 of the Code of Criminal Procedure, 1973)*) has been filed on behalf of the Petitioners for quashing of FIR No. 0318/2021 dated 21.09.2021 under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*), dated 21.09.2021 registered at Police Station Shaheen Bagh, Delhi and all the proceedings emanating therefrom, in terms of the Settlement dated 24.07.2024.



4. Issue Notice.
5. Mr. Y.S. Chauhan, learned APP appearing on advance Notice, accepts Notice on behalf of the State.
6. Brief facts of the case are that the marriage was solemnized between Petitioner No.1/husband and the Respondent No. 2/wife on 20.06.2019, according to the Muslim rites and ceremonies.
7. On the Complaint of the Respondent No. 2, FIR No. 0318/2021 dated 21.09.2021 under Sections 498A/406/34 IPC, dated 21.09.2021 got registered at Police Station Shaheen Bagh, Delhi.
8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner. 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 *vide* Memorandum of Settlement (MOU) dated 24.07.2024 In the MOU, it was inter alia settled between the parties that the Respondent No. 2/wife and the Petitioner No.1/husband shall dissolve their marriage/Declaration Suit by way of Mubaratnama by decree of mutual consent under Section 13-B(1) and 13-B(2) of Hindu Marriage Act, 1955. It is stated that the Petitioner No.1/husband shall pay a sum of 5,00,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, balance istridhan and alimony of the Respondent No. 2/wife. It is further settled between the parties that the Petitioner No. 1 shall pay the sum of Rs.5,00,000/- at the time of quashing of second FIR bearing No. 140/2022 under Section 506/509 IPC read with Section 4 of Muslim Women Protection of Rights on Marriage Act, 2019. It is also settled that the Respondent No. 2 shall withdraw all the proceedings pending against the



Petitioner and his parents.

9. It is also stated that on 21.12.2024, the marriage between the Petitioner No. 1 and the Respondent No. 2, had been dissolved by mutual consent (Mubarat), as per the Muslim Law.

10. In view of the Settlement Deed dated 24.07.2024, the present Petition has been filed.

11. The parties have submitted that all the disputes have been amicably settled vide Settlement Deed dated 24.07.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

12.. The present Petition has been signed by the Petitioner and is supported by his Affidavit. The parties have reaffirmed the terms of the settlement arrived at vide Settlement Deed and they also submit that the said Memorandum of Understanding/MOU dated 24.07.2024 has been arrived at between the parties, without any pressure and coercion.

13. Today, 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 FIR is quashed.

14. 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.

15. Accordingly, FIR No. 0318/2021 dated 21.09.2021 under Sections 498A/406/34 IPC dated 21.09.2021 registered at Police Station Shaheen Bagh, Delhi and all consequential proceedings emanating therefrom are



quashed.

16. The Petition is disposed of accordingly.

**NEENA BANSAL KRISHNA, J**

**MAY 27, 2025/RS**