



2025:DHC:3734



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 14.05.2025

+ W.P.(CRL) 1428/2025
ABID ALI SIDDIQUI

.....Petitioner

Through: Ms. Shweta Singal, Adv. along
with petitioner in person.

versus

STATE (GOVT OF NCT DELHI) AND ANR ... Respondents

Through: Mr. Sanjay Lao, Standing
Counsel for the State and Mr.
Abhinav Kr. Arya, Mr. Aryan
Sachdeva, Advs. with HC
Sanjay Pandey, PS Jamia Nagar
R-2 in person.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT (ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Articles 226 and 227 of the Constitution read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0140/2025, dated 17.03.2025, registered at P.S Jamia Nagar under section 85 of BNS (section 498A IPC) 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 18.09.1998 as per Muslim rites and ceremonies at Delhi. Two daughters and one son were born out of the said wedlock.



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It is submitted that due to temperamental differences, the couple used to fight and that the Petitioner No.1 remarried in the year 2016 which was later disclosed in the year 2021. Thereafter, Respondent No.2 filed a complaint with CAW Cell which was resolved after counseling. The Respondent No.2 further filed a maintenance petition bearing No. 584/2024 and also lodged the aforesaid FIR against Petitioner No. 1.

3. During the proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding (MoU) dated 16.04.2025. In pursuance of the MoU, the parties are living together in the matrimonial home. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the MoU have been fulfilled. The copy of Memorandum of Understanding (MoU) dated 16.04.2025 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:-

“01.05.2025

Today, videoconferencing is not connected due to some technical error. Complaint in this regard made to the concerned branch.

Today, statement of respondent no.2 and petitioner no.1 have been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no.2 and the petitioner no.1 have been identified by the learned counsel and the IO.



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Let the pre-verified statement along with this order be placed before the Hon'ble Court on **14th May, 2025**.

5. Parties are physically present before the Court with respective advocates. They have been identified by their respective counsels as well as by the Investigating Officer HC Sanjay Pandey, PS Jamia Nagar.

6. Respondent No.2 confirms that the matter has been settled with the Petitioner No.1 without any force, fear, coercion and she no objection if the FIR No. 0140/2025 is quashed against the Petitioner No.1.

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. 0140/2025 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."



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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. 0140/2025, dated 17.03.2025, registered at P.S Jamia Nagar under section 85 of BNS (section 498A IPC) and all the other consequential proceeding emanating therefrom.

10. In the interest of justice, the petition is allowed, and FIR No. 0140/2025, dated 17.03.2025, registered at P.S Jamia Nagar under section 85 of BNS (section 498A IPC) 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

MAY 14, 2025/AK