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

+ **W.P.(CRL) 1561/2025**

MOHD SABIR AND ORS

.....Petitioners

Through: Mr. Vikas Bhadauria, Adv.
versus

THE STATE GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Mr. Abhinav
Kumar Arya and Mr. Aryan Sachdeva,
Advocates.
ASI Deshpal, PS Narela.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

21.05.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 14561/2025 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

W.P.(CRL) 1561/2025

3. The present petition under Article 226 of the Constitution of India Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 486/2023 under Sections 498A/406/506/34 of the IPC registered at P.S. Narela, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Nidhi Chitkara, learned JMFC, Mahila Court-02, North West Distt. Rohini Courts, Delhi.

4. The marriage between the petitioner no.1/husband and the respondent



no.2/wife was solemnized on 08.05.2021 as per Muslim Rites and Customs and on 21.09.2022, one female child was born out of the said wedlock.

5. Due to matrimonial differences between petitioner no. 1/husband and respondent no. 2/wife, the parties started residing separately from 02.04.2022. Subsequently, respondent no.2/complainant lodged an FIR against the petitioner no. 1 (husband), petitioner no. 2 (mother-in-law), petitioner no. 3 and petitioner no. 4.

6. On 21.09.2023, the matter was intervened by the relatives and well wishers of the parties on account of which respondent no. 2 has joined the company of the petitioner no.1/husband, and since then the parties are living amicably and have resolved their disputes. As per the Memorandum of Understanding ('MoU') dated 02.05.2025, the parties arrived at a settlement in which it was agreed that the petitioners shall approach the Court for quashing of the present FIR and the respondent no. 2 shall cooperate with the petitioners in getting the above said FIR quashed. It has also been recorded that the parties are now living peacefully and the respondent no. 2 has already withdrawn her complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 as well as her petition under Section 125 of the Cr.P.C. The said MoU has been annexed as (Annexure P-2) in the present petition.

7. Petitioners No. 1 to 4 and the complainant/respondent no. 2 are present in-person before the Court and the parties have been duly identified by their respective counsels, as well as the Investigating Officer, ASI Deshpal, PS Narela.

8. The matter was also placed before the learned Joint Registrar who has recorded the statement of respondent no. 2 on 09.05.2025 which reads as



under:-

“I am respondent no. 2 in above mentioned petition. I lodged FIR no. 486/2023 under Section 498A/406/506/34/IPC at P.S. Narela, against the petitioners. Now I have voluntarily entered into MOIJ executed on 05.05.2025 with the petitioners and reconciled all my issued and disputes and I am happily residing with all the petitioners in my matrimonial home. I do not want to pursue abovesaid FIR. My affidavit of no objection to quash the abovesaid FIR is at page no. 22-23 hearing my signatures, the MOU also hears my signatures. I shall remain bound by the terms of the settlement. This is my true statement being made voluntarily in the presence of 10 and I have signed it after the same is read over to me in hindi.”

9. Complainant/respondent No.2 states that the matter has been settled and she is residing happily with the petitioners in her matrimonial home and she has no objection if the FIR is quashed against the petitioners.

10. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

11. In **Gian Singh v. State of Punjab (2012) 10 SCC 303**, the 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.”

12. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR and all other consequential proceedings emanating



therefrom FIR No. 486/2023, under Sections 498A/406/506/34 of the IPC registered at P.S. Narela, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of competent jurisdiction.

13. In the interest of justice, the petition is allowed, and the FIR No. 486/2023, under Sections 498A/406/506/34 of the IPC registered at P.S. Narela, Delhi and all other consequential proceedings emanating therefrom, including the chargesheet filed and pending before the Court of Ms. Nidhi Chitkara, learned JMFC, Mahila Court-02, North West District, Rohini Courts, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.

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

16. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

MAY 21, 2025/kr/sc

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