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

+ **CRL.M.C. 3367/2025**

MUSHIR AHAMAD & ORS.

.....Petitioners

Through: Petitioners with their counsel Mr
Pawan Kumar, Adv.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Rajkumar, APP for the State.
R-2 with her counsel.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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17.07.2025

CRL.M.A. 14826/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 3367/2025

3. By way of the present petition, the petitioners seek quashing of FIR bearing no. 0342/2023, registered at Police Station Dayal Pur, (North-East District) Delhi, for commission of offence punishable under Sections 498A/406/506/34 of Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. All the petitioners and respondent no. 2 are present before this Court and have been identified by their counsel and Investigating Officer (IO) from Police Station Dayal Pur, (North-East District), Delhi.



6. Brief facts of the present case are that the marriage between petitioner no.1 and respondent no. 2 was solemnized on 11.01.2017 according to Muslim rites and ceremonies. One child namely Mohd. Uzaif Salmani was born on 20.01.2018 out of their wedlock. It is stated that on the complaint of respondent no. 2, the present FIR was registered at the concerned Police Station.

7. During pendency of the case, both the parties had amicably settled their disputes before the Mediation Center, Karkardooma Court, Delhi vide Settlement dated 04.03.2025 and had obtained decree of divorce, by way of mutual consent, before the concerned Court.

8. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between them vide Settlement Deed dated 04.03.2025. Respondent no. 2 further states that she has received the remaining settled amount of Rs. 3,50,000/- by way of Demand Draft bearing No. 386424 drawn on Punjab National Bank, New Delhi.

9. The learned counsel for the petitioners submits that the affidavits showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava: (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court have been filed and the same are on record. The petitioner no. 1 herein states that he has signed the Settlement deed having understood that he has no visitation rights to meet the son.

10. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful



purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

11. Accordingly, FIR bearing no. 0342/2023, registered at Police Station Dayal Pur, (North-East District) Delhi, for commission of offence punishable under Sections 498A/406/506/34 of IPC and all consequential proceedings emanating therefrom are quashed.

12. In view of above, the present petition stands disposed of.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 17, 2025/A