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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3424/2025 & CRL.M.A. 15108/2025 EXMP.**
FAKHRUDDIN ALI KHAN @ BABLU & ORS.

.....Petitioners

Through: Petitioners in person through VC.

versus

THE STATE GNCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for
State with SI Nitin, P.S. Jamia Nagar.
R-2 in person through VC.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

% **ORDER**
25.09.2025

1. Petitioners herein seek quashing of an FIR No. 199/2020 dated 24.07.2020 for the alleged offences under Sections 498A/406/34 IPC, registered at Police Station Jamia Nagar, along with any consequential proceedings arising therefrom, on the basis of a compromise.
2. Dispute arose mainly from the matrimonial discord between petitioner no.1 (husband) and respondent no.2/ complainant (wife). The couple got married on 07.05.2003 as per Muslim rites and customs and ceremonies. However, the couple started residing separately since 16.08.2017. Two children are born from the wedlock, presently in the care and custody of



respondent no.2 (mother).

3. The present FIR was registered against the brothers (petitioner nos.2 and 3) and sister (petitioner no.4) of petitioner no.1.

4. Learned counsel for the petitioner submits that the parties have now settled the matter amicably before the Delhi Mediation Centre, Saket Courts by entering into a MoU/ Settlement Deed dated 14.08.2024. Learned counsel further submits that the affidavit to the effect of no objection to quashing deposited by respondent no.2 is also placed on record.

4.1 Learned counsel also submits that pursuant to the settlement, marriage between the petitioner no.1 and respondent no.2 has already been dissolved by decree of divorce dated 07.05.2018 as per old customary law (Shariat Law).

4.2 Learned counsel also submits that, keeping in view that the parties have amicably settled their disputes and differences arising from their matrimonial relationship, further continuation of proceedings would be a futile exercise.

5. Learned counsel for respondent no.2 and APP for the State concur with the factum of compromise and submit that, in view of the settlement, the proceedings deserve to be quashed.

6. In the aforesaid backdrop, I have heard learned counsel for the parties as well as perused the material available on record.

7. The parties have joined proceedings through video conferencing. They have been identified by the IO, who is present in the Court today. Upon a query, she candidly submits that she has amicably resolved her differences with petitioner no.1 and has entered into the settlement out of her own free will, without any pressure, coercion, or undue influence. She



further states that pursuant to the settlement, she does not wish to continue with the proceedings against the petitioners as no dispute and grievance remains unresolved with them.

8. Having heard, it appears that the dispute was purely a family matter with no involvement of public or societal interest. Since the complainant (wife) does not wish to press charges and there is no incriminating evidence against the petitioners, coupled with the fact that a compromise has been reached, continuing with the criminal proceedings would be an exercise in futility, amounting to an abuse of the legal process.

9. The genuineness of the compromise is not in dispute. However, since the Trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped. Given that the dispute has been resolved amicably through mutual consent thus, continuing with criminal proceedings may serve no useful purpose and would rather defeat the very purpose of the settlement and be a drain on judicial resources and abuse of the process of law.

10. In the premise, this is a fit case for invoking inherent powers vested with this Court under Section 528 of BNSS, 2023 (erstwhile Section 482 Cr.P.C.), and it is deemed expedient to quash the FIR in question. Reference in this context may be had to judgment rendered in the case of ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]***.

11. Accordingly, in the larger interest of justice, invoking inherent powers vested with this Court under Section 528 of BNSS, 2023 the FIR No. 199/2020 dated 24.07.2020 for the alleged offences punishable under Sections 498A/406/34 IPC, registered at Police Station Jamia Nagar, and all other proceedings arising therefrom are hereby quashed. However, I may



like to make it clear that quashing of the FIR shall have no bearing on the inheritance rights of the minor children *qua* their father.

12. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

SEPTEMBER 25, 2025

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