



2025:DHC:5105



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 01.07.2025

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CRL.M.C. 4146/2025

MOHD. UMAR @ UMAR MALIK & ORS.Petitioners

Through: Mr. Danish Chauhan, Mr. Sajid
& Mr. Adil Chauhan, Advts.
along with all petitioners in
person.

versus

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

Through: Mr. Hitesh Vali, APP for the
State with SI Neha Tyagi, PS
Harsh Vihar.
Mr. Tasleem Arif, Adv. along
with R-2 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT (ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0094/2017, dated 10.04.2017, registered at P.S Harsh Vihar under sections 498A/406/34 IPC and section 4 of the Dowry Prohibition Act, 1961 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 17.04.2015 as per Muslim rites and ceremonies at



Delhi. One male child namely Mohd. Ibrahim Malik was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 13.09.2015. Thereafter, Respondent No.2 filed the following cases against the petitioners:

- i. Maintenance petition under section 125 Cr.P.C.
- ii. Complaint under section 12 of the DV Act
- iii. FIR No. 0094/2017 under sections 498A/406/34 IPC and section 4 of the Dowry Prohibition Act, 1961

The charge sheet was filed under sections 498A/406/34 IPC and section 4 of the Dowry Prohibition Act, 1961.

3. During the proceedings, the parties have amicably resolved their disputes and executed a Compromise/Settlement Deed dated 18.10.2024. The Petitioner no.1 has already given Talaaq to the Respondent no.2 as per Shariyat Law on 19.07.2016 thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. It is submitted that all the previous complaints and litigations initiated by the parties have been withdrawn. The Settlement Agreement includes the total settlement amount of Rs. 3,80,000/- (Rupees three lacs eighty thousand) to be paid to the Respondent No.2 as per the schedule mentioned in the Settlement Deed. The first instalment of Rs. 1,00,000/- has been paid to the Respondent No.2.



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The copy of Compromise/Settlement Deed dated 18.10.2024 has been placed on record as Annexure P-3.

4. Petitioner Nos. 1 to 7 and respondent No. 2 are physically - present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Neha Tyagi from PS Harsh Vihar.

5. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the entire amount as per Settlement Deed dated 18.10.2024 from the Petitioner No.1 as per the schedule mentioned in the Compromise/Settlement Deed dated 18.10.2024. She further submits that she has no objection if the FIR No. 0094/2017 is quashed against the petitioners.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0094/2017 along with charge sheet is quashed.

7. 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



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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."

8. 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. 0094/2017, dated 10.04.2017, registered at P.S Harsh Vihar under sections 498A/406/34 IPC and section 4 of the Dowry Prohibition Act, 1961 along with charge sheet and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and FIR No. 0094/2017, dated 10.04.2017, registered at P.S Harsh Vihar under sections 498A/406/34 IPC and section 4 of the Dowry Prohibition Act, 1961 along with charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

10. Petition is allowed and disposed of accordingly.

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

न्यायमेव जयते

RAVINDER DUDEJA, J

JULY 01, 2025/AK