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

+ **CRL.M.C. 4214/2025**

ASIF SAIFI & ORS.

.....Petitioners

Through: Counsel for Petitioners (appearance
not given) with Petitioners.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Utkarsh, APP for the State with
SI Hemant, D-226, PS Jafrabad.
Respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **02.07.2025**

CRL.M.A. 18356/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.C. 4214/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*)), has been filed on behalf of the Petitioners for quashing of FIR No. 0443/2016 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) and Section 4 of DP Act, registered at Police Station Jafrabad, Delhi and all the consequential proceedings emanating therefrom.
4. Issue Notice.



5. On advance Notice, learned APP has appeared and accepts the Notice on behalf of the State.
6. Brief facts of the case are that the marriage was solemnized between the Petitioner No.1/husband and the Respondent No. 2/wife on 29.04.2015, according to the Muslim rites and custom and no child was born out of the said wedlock. The parties have been living separately since 22.11.2015.
7. On the Complaint of the Respondent No.2/Complainant, FIR No. 0443/2016 under Section 498A/406/34 of IPC and Section 4 of DP Act, got registered at Police Station Jafrabad, Delhi.
8. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioner No.1. With the intervention of the respectable person, parents, relatives and common friends of both the parties, the Petitioner No. 1 and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Memorandum of Understanding (MOU) dated 04.06.2025. It is stated that the Petitioner No.1/husband shall pay a sum of Rs.1,90,000/- towards full and final settlement of all the claims in all respect i.e. towards past, present and future maintenance, balance *istridhan* and alimony of the Respondent No. 2/wife.
9. Today, the Respondent No. 2/wife, who is present in the Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.
10. It is also stated that the divorce had been taken place between the Petitioner No. 1 and the Respondent No. 2 on 29.02.2024.
11. The Statement of the parties have already been recorded before the learned Joint Registrar. They have entered into the Settlement voluntarily



and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

12. Considering the nature of the allegations and that they have settled the matter, the FIR No. 0443/2016 under Section 498A/406/34 IPC and Section 4 of DP Act, registered at Police Station Jafrabad, Delhi and all the consequential proceedings emanating therefrom are quashed

13. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

JULY 2, 2025/RS