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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5055/2025, CRL.M.A. 21886/2025 (stay), CRL.M.A. 21888/2025 (Exemption)
FARMAN KHAN & ORS.Petitioners

Through: Mr. Rohit Mehra, Advocate with
Petitioners.

versus

THE GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI (STATE) & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State.
Counsel for Complainant (appearance
not given) with Complainant.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
01.09.2025

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CRL.M.C. 5055/2025

1. Criminal Miscellaneous Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioners for quashing of FIR No.728/2016 under Section 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Vijay Vihar, Rohini, New Delhi and all the consequential proceedings emanating therefrom, on the basis of the Settlement dated 29.12.2016.
2. Issue Notice.
3. On advance Notice, learned APP has appeared and accepted the Notice on behalf of the State.



4. Brief facts of the case are that the marriage was solemnized between Petitioner No.1/husband and the Respondent No. 2/wife on 22.11.2015, according to the Muslim rites and ceremonies and no child was born out of the said wedlock.

5. On the Complaint of the Respondent No.2/Complainant, FIR No.728/2016 under Section 498A/406/34 of IPC, got registered at Police Station Vijay Vihar, Rohini, New Delhi

6. It is submitted that the FIR was a consequence of the matrimonial disputes between the Complainant and the Petitioners. It is stated that with the help of Local Panchayat in Muslim Community, the Petitioner No.1 and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement and *Talaqnama* dated 29.12.2016 for a sum of Rs.4,25,000/- via Cheque bearing No. 797299 dated 16.01.2017, drawn on SBI Bank. Thereafter, on 01.03.2017, the said cheque was dishonoured due to reason payment stopped. On 04.05.2017, the Respondent No. 2 filed a Complaint under Section 138 of N.I. Act bearing CT Case No. 6044/2017 against the Petitioners. On 14.09.2021, the Petitioner No. 1 and the Respondent No. 2 again entered into mutual Settlement/Agreement for a sum of Rs.4,00,000/- in cash to the Respondent No. 2/wife as full and final Settlement amount. It is also settled between the parties that the Respondent No. 2 will take back all the Complaints.

7. 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 said FIR is quashed.

8. The parties are present before this Court in-person today, and have been identified by their Counsel and Investigating Officer concerned and 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.

9. Considering the nature of the allegations and that they have settled the matter, the FIR No. 728/2016 under Section 498A/406/34 of IPC, registered at Police Station Vijay Vihar, Rohini, New Delhi and all the consequential proceedings emanating therefrom are quashed.

10. The Petition is disposed of accordingly. Pending Applications, if any, stand disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 1, 2025/RS