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

+ CRL.M.C. 5211/2025, CRL.M.A. 22520/2025

MOHD. RIYAJUDDIN & ORS. ....Petitioners

Through: Mr. Vijay Kinger, Advocate.

versus

THE STATE OF NCT OF DELHI & ANR. ....Respondents

Through: Mr. Digam Singh Dagar, APP for the  
State with SI Shiv Dayal Kumar, PS –  
Dayal Pur.

Respondent no. 2 along with mother  
and father in person.

**CORAM:**

**HON'BLE MR. JUSTICE ARUN MONGA**

**ORDER**

**04.08.2025**

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1. Petitioners herein seek quashing of an FIR No. 0176/2025 dated 24.03.2025 under Sections 74 (Assault or Criminal force to woman with intent to outrage her modesty), 75 (Sexual Harassment), 78 (Stalking), 79 (Word, gesture or act intended to insult the modesty of a woman), 351(2) (Criminal Intimidation) and 315 (Dishonest Misappropriation of property possessed by deceased person at the time of his death) of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), registered at P.S. Dayal Pur, along with all the proceedings arising therefrom, on the basis of the compromise between the parties.

2. Genesis of the dispute and the FIR in question is now stated to be the matrimonial acrimony between Petitioner no. 1 and Respondent no.2. They



got married to each other on 27.10.2021 as per Muslim rites and customs. One child is also born out of the wedlock.

3. Petitioner no. 2 (Brother), Petitioner no. 3 (Father) and Petitioner no.4 (Mother) are the family members of Petitioner no.1 who have been arrayed as co-accused in the FIR.

4. Per FIR, the complainant/ respondent 2 alleged that after marriage her marriage with petitioner 1, her brother-in-law and father-in-law developed bad intentions towards her. After the birth of her daughter, the complainant's mother-in-law and brother-in-law told her that if she would have physical relations with her brother-in-law, she would bear a son. She informed her husband, but he ignored her. When she told her father-in-law, he too rather threatened her.

5. In the aforesaid backdrop, I have heard learned counsel for the petitioner and respondent as well as perused the material available on record.

6. The Learned Counsel for the petitioners submits that the parties, with the help of near relatives and respectable members of the society, out of their own volition and without any coercion or undue influence have settled all their disputes *vide* settlement deed dated 25.06.2025.

7. The learned APP and the learned counsel for the Respondent no.2 concur with the factum of compromise between the parties. Counsel for the Respondent no.2/complainant conveys his no objection to the quashing of FIR.

8. Complainant is present in Court, and I have interacted with her. She candidly submits that she does not wish to press any charges against the petitioners herein and she has arrived at a mutually acceptable settlement on



her own volition without any duress and coercion. She submits that pursuant thereto, she and the petitioner already stand divorced by a competent Court as per Islamic Law.

9. On a Court query, she further submits that pursuant to the settlement, she has already received full and final amount of Rs. 14 lakhs (Rs. 10 lakhs towards permanent alimony to the wife and Rs. 4 lakhs towards the permanent maintenance of the minor child, who shall remain in the custody of the complainant wife) as per settlement agreement dated 25.06.2025 annexed as Annexure P-2 with the petition.

10. The petitioners have shown remorse for their conduct and apologised on the misunderstanding which led to the verbal duel and registration of the FIR.

11. In view of the above, further proceedings in the present matter would be an abuse of process of law, especially where the parties have amicably settled their dispute, which does not harm any public interest or interest of the society at large. In such circumstances, continuation of proceedings may result in hostility between the parties and defeat the very purpose of settlement.

12. Since the parties have resolved their differences, they naturally wish to move on with their lives but for the impediment of the FIR in question.

13. In the premise, this Court finds it appropriate to exercise its inherent jurisdiction under Section 528 of BNSS to secure the ends of justice. In this context, reference may also be had to judgement rendered in the case of ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]***.

14. In the parting, I may hasten to add that the quashing of the FIR and payment of one-time maintenance to the respondent no.2 or minor child or



both shall not be construed, in any manner, as denial of the inheritance rights of the child who, pursuant to the settlement, is to remain under the custody and welfare of the complainant wife.

15. The instant petition is thus allowed. The criminal proceedings arising out of FIR No. 0176/2025, dated 24.03.2025, for the alleged offences committed under Sections 74, 75, 78, 79, 351(2), 315 BNS, against the petitioner and further proceedings arising therefrom are hereby quashed.

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

**ARUN MONGA, J**

**AUGUST 4, 2025**

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