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

+ **CRL.M.C. 5632/2025 & CRL.M.A. 24152/2025**

MOHD ASIF MALIK & ORS.

.....Petitioners

Through: Mr. Rakesh Kumar, Advocate with
Petitioners in person

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
with SI Bharat Singh and ASI Sunita,
P.S. Uttam Nagar
Mr. Ram Kumar (through VC), Mr.
Amit Kumar and Ms. Khushboo
Sharma, Advocates for R-2 with R-2
in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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18.08.2025

1. 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. 0693/2023 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) at P.S. Uttam Nagar and all the proceedings emanating therefrom in terms of the Settlement dated 28.01.2025.
2. Issue Notice.
3. Mr. Shoaib Haider, learned APP appearing on advance Notice, accepts Notice on behalf of the State.
4. Brief facts of the case are that the marriage was solemnized between



Petitioner No. 1 and Respondent No. 2 on 09.05.2022, according to Muslim rites and ceremonies and no child was born out of the said wedlock. Due to temperamental issues, the Petitioner/husband and the Respondent No. 2 started living separately since 07.06.2023.

5. It is further submitted that the Complainant had lodged a complaint before the CAW Cell, Dabri against the Petitioners, which culminated into registration of FIR No. 0693/2023 registered under Sections 498A/406/34 IPC at P.S. Uttam Nagar.

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

7. It is stated that the Petitioner No. 1 and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Settlement dated 28.01.2025.

8. In the Settlement dated 28.01.2025, it was *inter alia* settled between the parties that the Respondent No. 2/wife and the Petitioner No. 1/husband shall dissolve their marriage as per Muslim rituals. It is stated that the Petitioner No.1/husband shall pay a sum of Rs.4,00,000/- towards full and final settlement of all the claims of the Respondent No. 2/wife, in three instalments. It is also stated that the Petitioner No. 1 shall pay first instalment of Rs.1,00,000/- to Respondent No. 2, at the time of withdrawal of Maintenance Petition. The second instalment of Rs.1,00,000/- shall be paid to the Respondent No. 2, at the time of withdrawal of Domestic Violence Petition. The third instalment of Rs.2,00,000/- shall be paid at the time of quashing of aforesaid FIR.

9. It is stated that the Petitioner has already paid the two instalments of Rs.2,00,000/- to the Respondent No. 2, which is acknowledged by the



Respondent No. 2. The remaining settled amount of Rs.2,00,000/- has been paid today through RTGS, which is accepted by the Respondent No.2.

10. It is also stated that the marriage between the Petitioner No. 1 and the Respondent No. 2, had been dissolved by mutual divorce by way of Mubarat Divorce dated 14.07.2025 and the document in support of divorce is placed on record.

11. In view of the Settlement dated 28.01.2025, the present Petition has been filed.

12. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily. The parties have undertaken to remain bound by the terms of the Settlement. The parties have submitted that all the disputes have been amicably settled *vide* Settlement dated 28.01.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

13. 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.

14. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

15. Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

16. Accordingly, FIR No. 0693/2023 registered under Sections 498A/406/34 IPC at P.S. Uttam Nagar and all consequential proceedings



emanating therefrom are quashed.

17. The Petition alongwith pending Application, stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 18, 2025

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