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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6001/2025**
MAHTAB ALAM AND ORS

.....Petitioner
Through: Mr. Kedar Yadav and Mr. Rahul
Yadav, Advocates.

versus

STATE OF DELHI AND ANR

.....Respondent
Through: Mr. Shoaib Haider, APP for the State
with SI Nitin P.S. Jamia Nagar.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **27.08.2025**
CRL.M.A. 25521/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

CRL.M.C. 6001/2025

3. A Petition under Section 482 Cr.P.S./528 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioners seeking quashing of FIR No.423/2021 under Section 406/498-A/34 IPC registered at Police Station Jamia Nagar, Delhi.
4. Brief facts of the case are that the marriage was solemnized between petitioner No. 1 and respondent No. 2 on 12.12.2015 according to Muslim rites and ceremonies. It is stated that a male child Ayaan was born out of the



said wedlock on 17.02.2018. Since 01.03.2020, the parties started residing separately.

5. It is further submitted that on the complaint of Respondent No.2 FIR No.423/2021 under Section 406/498A/34 IPC got registered at Police Station Jamia Nagar.

6. It is stated that during the trial, the petitioners and the respondent No. 2 with the intervention of family friends and relatives amicably settled all the disputes and differences vide Settlement Deed dated 28.05.2025, and it was inter alia settled between the parties that the respondent No. 2/wife and the petitioner No. 1/husband shall dissolve their marriage by decree of mutual consent. It is stated that petitioner No. 1/husband shall pay a sum of Rs.6,50,000/- to the respondent No. 2/wife towards full and final amount of all the claims of the respondent No. 2/wife. It is also stated that the petitioner No. 1 has already paid Rs.1,50,000 to respondent No. 2/wife through NEFT on 28.05.2025 and has also paid a sum of Rs.4,50,000/- through RTGS on 01.07.2025.

7. It is further stated that the remaining third instalment of Rs.50,000/- shall be paid by the petitioner No. 1/husband at the time of quashing of FIR No. 423/2021. It is also stated that the child shall remain in the custody of respondent No. 2/wife.

8. It is also stated that on 01.07.2025, the marriage between petitioner No. 1 and respondent No. 2 had been dissolved as per Muslim Law by way of Mubarat and signed Mubaratnama, as per the Settlement.

9. In view of the Settlement Deed dated 28.05.2025, the present Petition has been filed.

10. The parties are present before this Court in-person today, and have



been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable Settlement and accepted the terms thereof voluntarily.

11. The third instalment of Rs.50,000/- has been paid to the respondent No. 2/wife by the petitioner No. 1 today in the Court via Demand Draft No."000506" dated 07.08.2025 drawn on HDFC Bank, and the same has been confirmed by the respondent No. 2/wife.

12. The parties have submitted that all the disputes have been amicably settled vide Compromise Deed dated 28.05.2025 and thus, no fruitful purpose will be served in continuing with the FIR.

13. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at vide Compromise Deed dated 28.05.2025 and they also submit that the said Compromise Deed has been arrived at between the parties without any pressure and coercion.

14. Today, the complainant/respondent No. 2/wife, who is present in Court, states that she has received all amounts due to her and has no objection if the FIR is quashed.

15. 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, I am of the opinion that 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.

16. Moreover, there is no legal impediment in quashing the FIR in



question. However, it is made clear that the above Settlement is without prejudice to the rights of the child.

17. Accordingly, FIR bearing No. 423/2021 registered at Police Station Jamia Nagar, Delhi, for offences punishable under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

18. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 27, 2025/va