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

+ **W.P.(CRL) 3040/2025**

**MOHD. SHAKIR**

.....Petitioner

Through: Mr. Mohd. Shamikh, Mr. Absar  
Ahmad, Advocates

versus

**STATE OF DELHI & ANR.**

.....Respondents

Through: Mr. Anand V. Khatri, ASC for the  
State with Mr. Aditya Khatri,  
Advocate and with SI Anjali, P.S.  
Jafrabad.

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**ORDER**

% **18.09.2025**

**CRL.M.A. 28081/2025 (exemption)**

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

**W.P.(CRL) 3040/2025**

3. By way of the present petition, the petitioner seeks quashing of FIR bearing no. 429/2024, registered at Police Station Jafrabad, Delhi, for commission of offence punishable under Sections 74/79/351 of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
4. Issue notice. The learned ASC accepts notice on behalf of the State.
5. The petitioner and respondent no. 2 are present before this Court and have been identified by their counsel and Investigating Officer (IO) from



Police Station Jafrabad, Delhi.

6. Brief facts of the present case are that the petitioner is brother-in-law of husband of respondent no. 2/complainant and the marriage of respondent no. 2 was solemnized on 11.02.2023 as per Muslim rites and customs. It is stated that out of the wedlock, one male child namely Master Mohd. Husain was born. It is stated that on the complaint of respondent no. 2, the present FIR was registered at the concerned Police Station under the relevant Sections. It is however stated that during pendency of the case, both the parties had amicably settled their disputes *vide* Settlement Agreement dated 09.06.2025 and the husband of the respondent no. 2/complainant had pronounced first *talaq* orally to her in presence of two witnesses on 10.06.2025. On 20.07.2025, the husband of the respondent no. 2/complainant had pronounced Second *talaq* orally to her in presence of two witnesses.

7. On a query made by this Court, respondent no.2 who has been identified by the IO, has categorically stated that she has entered into compromise out of her own free will and without any pressure, coercion or threat. It is also stated by respondent no.2 that the entire dispute has been amicably settled between them *vide* aforesaid Settlement Agreement dated 09.06.2025. Respondent no. 2 further stated that she has received the entire payment due to her as per settlement and has no objection if the present FIR is quashed.

1. The learned counsel for the petitioner submits that the affidavits showing the protection of interest of minor child as per the judgment titled as ***Ganesh vs. Sudhirkumar Shrivastava: (2020) 20 SCC 787*** passed by the Hon'ble Supreme Court have been filed and the same are on record. It is



stated that the custody of the minor child is with respondent no. 2 and the future rights will not be affected by virtue of the aforesaid settlement agreement.

8. In view of the above fact that the parties have amicably resolved their differences of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR bearing no. 429/2024, registered at Police Station Jafrabad, Delhi, for commission of offence punishable under Sections 74/79/351 of BNS and all consequential proceedings emanating therefrom are quashed.

10. In view of above, the present petition stands disposed of.

11. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**SEPTEMBER 18, 2025/zp**