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

+ **CRL.M.C. 7835/2025**

AFTAB @ SADDAM & ORS.

.....Petitioners

Through: Mr. Manoj Kumar and Mr. Mayank Chandra, Advocates alongwith petitioners in person

versus

STATE OF NCT OF DELH & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the State

Ms. Shagufta Yasmin and Teresa kaushal, Advocates for R-2 alongwith R-2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

07.11.2025

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CRL.M.A. 32830/2025 (exemption)

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

CRL.M.C. 7835/2025

3. By way of the present petition, the petitioners seek quashing of FIR bearing no. 50/2024, registered at Police Station Vijay Vihar, New Delhi, for the commission of offence punishable under Sections 498A/406/34 of Indian Penal Code, 1860 (hereafter 'IPC') and the proceedings emanating therefrom.

4. Issue notice. Mr. Digam Singh Dagar, the learned APP accepts notice



on behalf of the State.

5. All the petitioners and respondent no. 2 are present before this Court and have been identified by their counsels and concerned Investigating Officer (IO) from Police Station Vijay Vihar, New Delhi.

6. Brief facts of the present case are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 24.03.2019, as per Muslim rites and customs at village Nathupur, Uttar Pradesh. It is stated that one female child, namely, Shaba Alkher, was born out of the said wedlock, who is presently in the custody of respondent no. 2. Due to temperamental differences, parties have been residing separately since 06.01.2021. It is stated that on the complaint of respondent no. 2, the present FIR was registered against the petitioners. During pendency of the case, both the parties had amicably settled their disputes before the Delhi Mediation Centre, Tis Hazari Courts, Delhi *vide* Mediation Report dated 27.03.2025.

7. The parties have handed over to the Court, a handwritten paper wherein they have mentioned as to how respondent no. 2 has received the settlement amount.

8. The complainant is person alongwith her counsel, who states that she has received the entire amount, she was to receive for quashing of the FIR..

9. This Court notes that the custody of minor children is with respondent no. 2 and the future right of the child will not be affected by virtue of this settlement agreement.

10. 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. Respondent no. 2 further states she has no objection if the present



FIR is quashed.

11. The learned counsel for the petitioners 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.

12. 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.

13. Accordingly, FIR bearing no. 50/2024, registered at Police Station Vijay Vihar, New Delhi, for the commission of offence punishable under Sections 498A/406/34 of IPC and all consequential proceedings emanating therefrom are quashed.

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

15. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

NOVEMBER 07, 2025/ns