



2025:DHC:11143



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

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Date of decision: 10.12.2025

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CRL.M.C. 8822/2025

SARFARAZ AHMAD &amp; ORS.

.....Petitioners

Through: Mr. Musharraf Ali, Mr. Mohd. Danish, Advs. with all petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP with SI Sharanya. S, PS Jamia Nagar.  
Mr. Sonu Singh, Mr. Arun Gupta, Advs. for R-2 with R-2 in person.

86

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CRL.M.C. 8823/2025

SARFARAZ AHMAD &amp; ORS.

.....Petitioners

Through: Mr. Musharraf Ali, Mr. Mohd. Danish, Advs. with all petitioners in person.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP.  
Mr. Sonu Singh, Mr. Arun Gupta, Advs. for R-2 with R-2 in person.

87

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CRL.M.C. 8824/2025 &amp; CRL.M.A. 36809/2025 EXEMPTION FROM FILING CERTIFIED COPIES

TABASUM

.....Petitioner

Through: Mr. Sonu Singh, Mr. Arun Gupta, Advs. with petitioner in



person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP.  
Mr. Musharraf Ali, Mr. Mohd.  
Danish, Advs. for R-2 with R-2  
in person.

**CORAM:-**

**HON'BLE MR. JUSTICE RAVINDER DUDEJA**

**JUDGMENT(ORAL)**

**RAVINDER DUDEJA, J.**

1. These are petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of three FIRs i.e. one bearing No. 755/2017 dated 05.12.2017, for the alleged offences under Sections 354/354(B)/323/506/34 IPC, registered at PS Jamia Nagar, Delhi the second bearing no. 81/2021 dated 18.03.2021 under Sections 498A/406 IPC, registered at PS Shaheen Bagh, Delhi and the third bearing no. 721/2017, dated 28.10.2017, under section 324 IPC registered at PS Jamia Nagar, Delhi and all other consequential proceedings arising there from on the basis of a compromise.

2. The factual matrix giving rise to the instant cases are that the marriage between Petitioner No. 1/ Sarfaraz Ahmad and Respondent no. 2/ Tabasum (*in CRL.M.C. 8822/2025 & 8823/2025*) was solemnized on 24.04.2017 as per Muslim Rites and ceremonies. One child was born out of the said wedlock. However, on account of



temperamental differences Petitioner no. 1 and Respondent No. 2 are living separately since 27.11.2017.

3. As per averments made in the FIR 755/2017, petitioners forced respondent No. 2 to abort her 5 months foetus and upon her refusal, she was physically assaulted by the petitioners. Furthermore, petitioner no. 4 allegedly touched her private parts inappropriately and subsequently tore her clothes including her innerwear. Further as per averments made in FIR No. 81/2021, respondent no. 2 was subjected to physical and mental harassment on account of dowry demands by petitioners.

4. So far as FIR No. 721/2017 is concerned, Respondent No. 2 (mother in law) was subjected to physical assault with knife by petitioner (daughter in law), thereby causing her injuries. Chargesheet has since been filed in all the respective cases.

5. Learned counsel appearing for the respective petitioners and private respondents in all petitions submit that there was a misunderstanding on the part of their clients that led to lodging of FIRs and cross FIR, as above. The parties amicably resolved their disputes and the terms of the compromise were reduced into writing in the form of a Memorandum of Understanding dated 27.05.2025. It is submitted that petitioner no. 1 and respondent no. 2 (*in CRL.M.C. 8822/2025 & 8823/2025*) have obtained divorce on 02.06.2025 as per Muslim personal laws and petitioners have already paid Rs.



10,00,000/- (Rupees Ten Lacs only) to Respondent No. 2/Tabassum at the time of withdrawal of DV complaint case before the Ld. trial court. It is further submitted that petitioner no. 1 has handed over a draft of Rs. Rs. 10,00,000/- (Rupees Ten Lacs only) to Respondent No. 2/Tabassum alongwith Rs. 1,00,000/- (Rupees One Lac only) in cash and 2 post dated cheques (*dated 28.12.2025 & 02.01.2026*) of Rs. 1,00,000/- (Rupees One Lac only) each in the name of respondent no. 2/Tabassum today. It is further submitted that the custody of the child shall remain with respondent no. 2/Tabasum. Copy of the Memorandum of Understanding dated 27.05.2025 has been annexed as Annexure P-3.

6. All parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Sharanya. S, from PS Jamia Nagar.

7. Both sides confirm that the matter has been amicably settled with the each other without any force, fear, coercion and they have no objection if the FIR Nos. 755/2021, 81/2021 & 721/2017 are quashed against the Petitioners. They further submit that the dispute is private in nature. Respondent no. 2/Tabasum (*in CRL.M.C. 8822/2025 & 8823/2025*) confirms that she has received the entire settlement amount and further undertakes to withdraw the execution application pending before the Ld. Trial Court.



8. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the FIR Nos. 755/2021, 81/2021 & 721/2017 are quashed.

9. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

10. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana, (2003) 4 SCC 675*.

11. The dispute between the parties, being essentially private in nature and arising out of differences between family members. In such circumstances, continuation of the criminal proceedings would serve no useful purpose and would rather amount to an abuse of the process



of law. Not quashing the criminal proceedings would rather rekindle hostility, whereas quashing the same would promote cordiality and bonhomie between the parties.

12. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

13. The petitions are allowed, and all three FIRs i.e. one bearing No. 755/2017 dated 05.12.2017, for the alleged offences under Sections 354/354(B)/323/506/34 IPC, registered at PS Jamia Nagar, Delhi the second bearing no. 81/2021 dated 18.03.2021 under Sections 498A/406 IPC, registered at PS Shaheen Bagh, Delhi and the third bearing no. 721/2017, dated 28.10.2017, under section 324 IPC registered at PS Jamia Nagar, Delhi and all other consequential proceedings arising therefrom are hereby quashed.

14. Petition is allowed and disposed of accordingly.

15. Pending application(s), if any, also stand disposed of.

**RAVINDER DUDEJA, J**

**December 10, 2025**

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