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

+ **W.P.(CRL) 145/2025**

DARAB AKHTER @ DARAB AKHTAR & ORS.

.....Petitioners

Through: Mr. Asif Ali and Mr. Mohd. Aarif,
Advocates.
Petitioners Nos.1 to 3 in-person.
Petitioners Nos.4 and 5 via video-
conferencing.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Abhijeet Kumar, Advocate for
Ms. Rupali Bandhopadhyaya, ASC for
the State.
SI Akash, P.S.: Jamia Nagar.
Mr Syed Hasan Isfahani, Mr. Syed
Mohd Hassan, Advocates for R-2.
R-2 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

08.04.2026

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By way of the present petition filed under Articles 226 and 227 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners, who are the former husband and in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 266/2020 dated 09.09.2020 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jamia Nagar, South-East District, Delhi.



2. The petition is premised on MOU/Settlement Deed dated 21.10.2024 signed between the parties; and Certificate of Talaq dated 01.11.2024, whereby the parties had sought dissolution of their marriage by mutual consent.
3. The petition is supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
4. Petitioners Nos.1 to 3 as well as respondent No. 2 are present in court. Petitioners Nos.4 and 5 have joined *via* video-conferencing. Their credentials have been verified and they have also been identified by their respective counsel.
5. The parties have confirmed that no child was born from the wed-lock.
6. No appeal is stated to have been filed from the divorce decree.
7. The court has interacted with respondent No.2/Ms. Sifat Jaihra @ Sifat Zehra. She confirms that the parties have undergone divorce by way of the Rijee, which is a form of mutual consent divorce under Shia Personal Law. A certificate of Talaq in that respect has been appended to the petition.
8. MOU/Settlement Deed dated 21.10.2024 has been entered into between the parties; and in full-and-final settlement of all her claims including towards maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc., she was to receive a sum of Rs. 7,25,000 /- from petitioner No. 1; out of which Rs. 2,00,000/- was paid earlier and Rs. 5,25,000/- has been paid in court today, in compliance of the terms of the MOU/settlement deed. Respondent No. 2 confirms that all aspects of the settlement have now been performed.



9. Mr. Abhijeet Kumar, learned counsel appearing for Ms. Rupali Bandhopadhyaya, ASC for the State confirms, that the State has no objection to the subject FIR being quashed.
10. Furthermore, as pointed-out by learned ASC for the State, the offence under section 354 of IPC was also added against petitioner No.2 (brother-in-law) in the chargesheet. Respondent No.2 confirms that she has also settled the matter with the brother-in-law and that she does not wish to pursue the charge under section 354 of IPC against him.
11. In the circumstances, in line with the law laid down by the Supreme Court in **Gian Singh vs. State of Punjab & Anr.** reported as (2012) 10 SCC 303 as also in **Narinder Singh & Ors. vs. State of Punjab & Anr.** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
12. That being said however, in view of the observations made by a Division Bench of this court in judgment dated 07.11.2024 in MAT.APP.(F.C.) No.37/2023, it is made clear that nothing in this order to be construed as this court having given its imprimatur to the certificate of talaq signed between petitioner No.1 and respondent No.2.



13. Accordingly, FIR No. 0266/2020 dated 09.09.2020 registered under sections 498-A/406/34 of IPC at P.S.: Jamia Nagar, Delhi is quashed. All proceedings arising therefrom also stand closed.
14. Petition stands disposed-of.
15. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 8, 2026/ak