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

+ **CRL.M.C. 439/2026**

SARFARAZ RAI KHAN & ORS.Petitioners

Through: Mr. M.S. Yadav and Mr. S.Y. Usmani, Advocates.

Petitioners Nos. 2,3 and 4 *via* video-conferencing.

Petitioner No.1 (in-person)

versus

THE STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Pravez Siddiqui, Advocate for R-2.

SI Akshay Dagar and SI Virender Singh, PS- Shaheen Bagh.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

19.01.2026

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By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners and the complainant/respondent No. 2, seek quashing of case FIR No.32/2019 dated 18.02.2019 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Shaheen Bagh, South-East Delhi.

2. The petition is premised on Memorandum of Understanding ('MoU') dated 11.09.2025, with inter-alia narrates that petitioner No.1 has pronounced *talaq-e-ahsan* to respondent No.2 on 03 different occasions; and that respondent No.2 has accepted the same of her own free will, thereby dissolving their marriage as per Muslim personal law.
3. The petition is supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.



4. Petitioner No.1 as well as respondent No. 2 are present in court; and petitioner Nos. 2, 3, and 4 have joined the proceedings *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. The court has queried respondent No. 2, who confirms that a settlement has been signed between the parties by way of the MoU; and that in full-and-final settlement of all her claims including towards maintenance (past, present and future), *meher/iddat*, dowry articles, jewellery, permanent alimony, etc., she was to receive a sum of Rs.8,00,000/- from petitioner No.1; out of which Rs. 4,00,000 /- was paid earlier and Rs. 4,00,000/- has been paid in court today, in compliance of the terms of the settlement. Respondent No. 2 confirms that all aspects of the settlement have now been performed.
7. Mr. Shoaib Haider, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. 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.



9. Accordingly, case FIR No.32/2019 dated 18.02.2019 registered under sections 498-A/406/34 of the IPC at P.S.: Shaheen Bagh, South-East Delhi is quashed. All proceedings arising therefrom also stand closed.
10. 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 is to be construed as this court having given its imprimatur to the *talaq-e-ahsan* stated to have been pronounced by petitioner No.1 to respondent No.2.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 19, 2026

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