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

+ **CRL.M.C. 485/2026**

MOHAMMAD SHAHNAWAZ & ORS.Petitioners

Through: Mr. Mohd. Azeem, Advocate.
Petitioners in-person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Ms. Richa Diwan, APP for State.
SI Manoj Kumar Dubey, P.S.:
Seelampur.
Mr. Amarraj Mahar, Advocate for
R-2.
Respondent No.2 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **20.01.2026**

CRL.M.A. 1935/2026 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.C. 485/2026

By way of the present petition filed under 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. 395/2021 dated 26.10.2021 registered under sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Seelampur, Delhi. Consequent upon completion of investigation, offence under section 354 IPC was added *vide* charge-sheet dated 13.05.2022.



2. The petition is premised on Mediated Settlement dated 05.09.2024 arrived at before the Delhi Mediation Centre, Karkardooma Courts, Delhi.
3. The petition is supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
4. The petitioners as well as respondent No. 2 are present in court. 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. Towards proof of the divorce between the parties, learned counsel for the petitioners has handed-up 03 *Talaq Namas* dated 08.11.2024, 23.12.2024 and 28.02.2025 whereby, petitioner No.1 has pronounced *talaq* to respondent No.2.
8. Counsel has also handed-up documents pertaining to receipts of the *talaq* so pronounced.
9. The documents handed-up are taken on record.
10. Counsel submits, that petitioner No.1 has accordingly divorced respondent No.2 by way of the customary *Talaq-e-Hasan*.
11. Upon being queried respondent No. 2, confirms that a settlement has been entered into between the parties; and that 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. 2,60,000/-from petitioner No. 1; out of which Rs. 1,50,000/- was paid earlier and Rs. 1,10,000/- 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.

12. Ms. Richa Diwan, learned APP confirms that the State has no objection to the subject FIR being quashed.
13. 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.
14. Accordingly, FIR No. 395/2021 dated 26.10.2021 registered under sections 498A/406/34 IPC at P.S.: Seelampur, Delhi is quashed. All proceedings arising therefrom also stand closed.
15. However, in view of the decision of a Division Bench of this court in judgment dated 07.11.2024 in MAT.APP.(F.C.) No.37/2023, no comment is made by this court on the validity or otherwise of the *talaq*.
16. Petition stands disposed-of.
17. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 20, 2026/ak