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

+ CRL.M.C. 3868/2026, CRL.M.A. 15717/2026, CRL.M.A.
15718/2026

ARUN @ G KANDA SAMI AND ANRPetitioners

Through: Mr. Devender Singh, Adv. with
petitioner in person

versus

STATE GOVT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi and Divya Bakshi,
Advocates
SI Naveen, PS.: Bharat Nagar
R-2 present in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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18.05.2026

1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek quashing of the FIR No.164/2017 dated 23.05.2017 registered at PS.: Bharat Nagar, Delhi under *Sections 498A/406/34* of the Indian Penal Code, 1860 (*IPC*) and all proceedings emanating therefrom, in view of Settlement dated 10.04.2024 (*Annexure C*), arrived at between the petitioner no.1 and the respondent no.2 before the Delhi Mediation Centre, Rohini District Courts, Delhi, which is accompanied by their respective proofs of identities.
2. Issue notice. Learned APP for the State accepts notice and submits that he has no objection to the quashing of the aforesaid FIR.



3. Respondent no.2, present in Court, also accepts notice and affirms the terms of the aforesaid Settlement dated 10.04.2024 whereby the petitioner no.1 has already paid her the total amount of Rs.4,00,000/- as full and final settlement of all her present, past and future claims including alimony, maintenance, etc. and She further submits that her marriage with the petitioner no.1 has since been dissolved by mutual consent in terms of the Dissolution of Muslim Marriage Act, 1939 *vide* judgment dated 30.04.2025 and as such, she has no objection to the quashing of the aforesaid FIR.

4. The petitioners and the respondent no.2, present in Court, as well as their credentials as on record, have been identified by the Investigating Officer.

5. Facts disclose that a settlement has already been arrived voluntarily between the petitioners and the respondent no.2 and the present petition is accompanied by their respective affidavit(s) *qua* the said effect. In view thereof, they shall remain bound by all the terms and conditions of the settlement arrived *inter se* themselves. As such, following the law laid down by the Hon'ble Supreme Court in ***Jitendra Raghuvanshi & Ors. vs. Babita Raguvanshi & Anr.: (2013) 4 SCC 58***, ***Gian Singh vs. State of Punjab & Anr.: (2012) 10 SCC 303*** and ***Narinder Singh & Ors. vs. State of Punjab & Anr.: (2014) 6 SCC 466***, since there is nothing left to corroborate and prove the case of the prosecution, continuation of the aforesaid FIR against the petitioners will be an exercise in futility.

6. Thus, the present petition is allowed and FIR No.164/2017 dated 23.05.2017 registered at PS: Bharat Nagar, Delhi under *Sections 498A/406/34* of the IPC and all proceedings emanating therefrom are



hereby quashed.

7. Accordingly, the present petition, alongwith the pending application, is disposed of in the aforesaid terms.

SAURABH BANERJEE, J.

MAY 18, 2026/bh