$~65

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

\# **CNR No. DLHC010510272026**

\+ CRL.M.C. 7961/2026

SHAHID HUSSAIN & ORS. .....Petitioners

Through: Ms. Shumaila Naaz, Adv. for P-1 to P-8 along with petitioner 1, 2, 4, 5, 7 and 8

versus

THE STATE NCT OF DELHI & ANR. .....Respondents

Through: Mr. Naresh Kumar Chahar, APP
SI Pankaj Kumar, PS Bhajanpura

Mr. Vipin Kumar, Adv. for R-2
R-2 in person

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 27.10.2026

CRL.M.A. 33282/2026 (for exemption)

1. Allowed, subject to all just exceptions.

2. The application stands disposed of.

CRL.M.C. 7961/2026

3. This petition has been filed seeking following relief:

> "Quash the FIR No.054/2021, under sections 498A/406/34 of IPC P.S. Bhajan Pura, Delhi and consequential proceedings arising out of the

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 03/11/2026 at 11:19:03

present FIR may also be quashed."

4. Issue Notice. Mr. Naresh Kumar Chahar, learned APP appearing on behalf of the State, accepts notice.

5. Mr. Vipin Kumar, learned counsel for the Respondent No.2 appears on advance service and accepts notice.

6. All the Petitioners, except Petitioner Nos. 3 and 6, are physically present in Court represented by counsel and identified by the Investigating Officer ('I.O.'). It is stated that Petitioner No. 3 is unwell and Petitioner No. 6 is attending to her and therefore, they are not present.

7. Respondent No. 2 is physically present in Court, represented by counsel and is identified by the IO.

8. It is stated that Petitioner No. 1 and Respondent No. 2 were married on 04.12.2016 according to Muslim rites and ceremonies. It is stated that no child was born out of this wedlock. It is stated that due to matrimonial discord, the parties separated in the year 2018.

9. It is stated that the subject FIR was filed on 30.01.2021 as well as other legal proceedings were filed by Respondent No. 2 on account of the matrimonial discord. However, during the pendency of the legal proceedings, the parties amicably resolved all their disputes by way of a Settlement dated 12.06.2026 ('Settlement') before the Mediation Centre, Karkardooma Courts, to put a quietus to all the disputes.

10. It is stated that subsequently the marriage between the parties stands dissolved by the decree of dissolution of marriage dated 22.09.2026 passed

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 03/11/2026 at 11:19:03

by the concerned Court.

11. It is stated that the Settlement contemplates payment of Rs. 7,35,000/- to Respondent No. 2 towards full and final settlement of all her claims. It is stated that an amount of Rs. 5 lakhs has already been paid to the Respondent No.2. And, the balance amount of Rs. 2,35,000/- has been paid today by way of Demand Draft dated demand draft bearing No. 007487, drawn upon IDBI Bank dated 14.10.2026.

12. Mr Chahar, learned APP, states that the charge-sheet has been filed and the matter is at the stage of arguments on charge on 27.02.2027. He submits that the State has no objection to the quashing of this petition, in view of the nature of the dispute and a settlement arrived at between the parties.

13. This Court has interacted with Respondent No. 2. She confirms the submission and receipt of Rs. 5 lakhs and the balance amount of 2,35,000/-, which has been paid today. She also confirms having executed the affidavit[1] dated 05.10.2026, which records her no objection to quashing the subject FIR.

14. This Court has heard the parties and perused the record.

15. With respect to offences that are non-compoundable in nature, the Supreme Court has held in **Gian Singh v. State of Punjab**[2] that, in certain circumstances, the High Courts, in exercise of their powers under Section

[1] At running page 42 of the petition
[2] (2012) 10 SCC 303

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 03/11/2026 at 11:19:03

482 of the CrPC [corresponding to Section 528 of the BNSS], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant. The Supreme Court observed that where the dispute is predominantly private in nature and does not involve any overriding societal or public interest, quashing the proceedings would serve the ends of justice and prevent the abuse of the process of law. The quashing of criminal proceedings arising from matrimonial discord is especially illustrated in the said judgment. Similar principles were reiterated in **Narinder Singh & Ors. v. State of Punjab & Anr.**[3], wherein the Supreme Court held that, while exercising such jurisdiction, the High Court is required to be guided by the considerations of securing the ends of justice and preventing abuse of the process of any Court.

16. In this case, criminal proceedings arise are connected with matrimonial disputes between the parties, wherein subsequently, the marriage has been dissolved. The disputes are thus private in nature, and there is no overriding public interest involved. The parties have agreed to part ways, and keeping the proceedings alive would only remind them of the bitterness of their past relationship. In view of the fact that the parties have amicably settled the dispute without any coercion or undue influence, this Court is of the view that continuation of the proceedings arising out of the present FIR would serve no useful purpose, besides imposing an unnecessary burden on the State exchequer. This Court is of the considered opinion that it is a fit case to exercise discretionary jurisdiction under

[3] (2014) 6 SCC 466 [Paragraph No. 29]

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 03/11/2026 at 11:19:03

Section 528 of the BNSS to meet the ends of justice.

17. Therefore, the FIR No. 054/2021 registered at P.S. Bhajan Pura, Delhi for offences under Sections 498A/406/34 IPC, along with the chargesheet and all consequential proceedings, is hereby quashed.

18. Parties shall remain bound and abide by the terms of settlement.

19. Petitioners and IO will ensure that this order is placed on record before the trial Court on or before the next date of hearing, i.e., 27.02.2027 for information.

20. In view of the above, the petition is allowed.

21. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order shall be insisted upon by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 27, 2026/hp/aj

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 03/11/2026 at 11:19:03