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

+ **CRL.M.C. 7972/2025, CRL.M.A. 33344/2025**

RIZWAN @ MOHD. RIZWAN & ORS.

.....Petitioner

Through:

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondent

Through:

+ **CRL.M.C. 7974/2025, CRL.M.A. 33347/2025**

MOHD. IFRAN

.....Petitioner

Through:

versus

THE STATE NCT OF DELHI

.....Respondent

Through:

Appearances:

Mr. Raj Kumar, Mr. Md. Irfan, Advocates for petitioners.

Mr. Hitesh Vali, APP. Appearance not given for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **08.04.2026**

1. The petitioners have filed these cross petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking quashing of FIR No. 211/2022, dated 09.03.2022, registered at Police Station Jafrabad, Delhi, under Sections 498A, 406 and 34 of the Indian Penal Code, 1860 ["IPC"] and Sections 3 and 4 of



the Dowry Prohibition Act, 1961 [subject matter of CRL.M.C. 7972/2025], as well as FIR No. 431/2023, dated 23.08.2023, registered at Police Station Jafrabad, Delhi, under Sections 354, 354A, and 509 of the IPC [subject matter of CRL.M.C. 7974/2025], together with all proceedings arising therefrom, on the ground that the parties have amicably settled their disputes.

2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Learned counsel accepts notice on behalf of respondent No.2 in both petitions.

3. The petitioners are present in Court and have been identified by their respective learned counsel, as well as by the Investigating Officer. Respondent No. 2 is also present in person and has been similarly identified by her learned counsel and the Investigating Officer.

4. The petitions are taken up for hearing together, with the consent of learned counsel for the parties.

5. The FIR in CRL.M.C. 7972/2025 was registered on 09.03.2022 at the instance of respondent No.2, who was, at the relevant time, the wife of petitioner No.1. Petitioner Nos. 2 and 3 are the parents of petitioner No.1, and petitioner Nos. 4 to 6 are his siblings.

6. Petitioner No.1 and respondent No.2 were married on 29.02.2015, in accordance with Muslim rites and customs. Two children were born out of the wedlock, on 05.08.2016 and 24.03.2018, respectively. Owing to matrimonial discord and differences in temperament, the parties have been living separately since July 2022.

7. Respondent No. 2 lodged a formal complaint with the Crime Against Women Cell, which led to the registration of FIR No. 211/2022



against four accused persons, namely the petitioners in CRL.M.C. 7972/2025.

8. Thereafter, on 23.08.2023, respondent No.2 lodged a complaint against her brother-in-law, who is arrayed as a petitioner in CRL.M.C. 7974/2025 and as petitioner No.5 in CRL.M.C. 7972/2025, resulting in the registration of FIR No. 431/2023 under Sections 354, 354A, and 509 of the IPC.

9. It is further stated that chargesheets have been filed in both matters.

10. During the pendency of the proceedings, the parties have amicably resolved all disputes arising out of their matrimonial and related matters, as recorded in a Memorandum of Understanding dated 15.05.2025. Pursuant to the settlement, the parties have agreed upon a total sum of Rs. 25,00,000/-, which encompasses expenses relating to gold and silver ornaments, *mehr*, *iddat* period expenses, permanent alimony for respondent No.2, and maintenance (past, present, and future) for the minor children.

11. The settlement amount of Rs. 25,00,000/- has been agreed to be paid in five equal installments of Rs. 5,00,000/- each. The first two installments, amounting to Rs. 5,00,000/- each, are to be paid in the names of the minor children at the time of withdrawal of the maintenance petition and the domestic violence petition, respectively. The third installment of Rs. 5,00,000/- is to be paid at the time of withdrawal of the civil suit. The fourth installment of Rs. 5,00,000/- is to be paid upon quashing of FIR No. 211/2022 [subject matter of CRL.M.C. 7972/2025], and the fifth installment of Rs. 5,00,000/- is to be paid upon quashing of FIR No. 431/2023 [subject matter of CRL.M.C. 7974/2025]. It is further



agreed that the minor children shall remain in the custody of respondent No.2, and petitioner No.1 shall have no visitation rights.

12. Pursuant to the settlement, the marriage between petitioner No.1 and respondent No.2 has been dissolved by mutual consent through a divorce deed/*mubarat nama* executed on 08.09.2025.

13. Learned counsel for the parties submit that the allegations framed under Section 354 of the IPC in CRL.M.C. 7974/2025 arose from a misunderstanding and were incidental to minor familial disputes, devoid of any serious or lasting consequences.

14. The parties have affirmed before this Court that they have amicably resolved their disputes and no longer wish to pursue the criminal proceedings against one another.

15. In light of the foregoing, the parties seek quashing of the impugned FIRs.

16. It is well settled by the Supreme Court that, in appropriate circumstances, High Courts may, in the exercise of their inherent powers under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), quash criminal proceedings, including those relating to non-compoundable offences, where a compromise has been reached between the accused and the complainant, provided that no overriding public interest would be adversely affected.

17. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has held as follows:

*“58. Where the High Court quashes a criminal proceeding having regard to the fact that the **dispute between the offender and the victim has been***

¹ (2012) 10 SCC 303.



settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read as under:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising

² Emphasis supplied.

³ (2014) 6 SCC 466.



its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”⁴

⁴ Emphasis supplied.



18. Applying the principles discussed above to the present matters, this Court is of the view that the cases at hand constitute a fit occasion for the exercise of its inherent jurisdiction to quash the FIRs. The disputes arise from matrimonial discord, and it is evident that the parties have terminated their marital relationship and seek to move forward with their respective lives. The allegations under Sections 354, 354A, and 509 of the IPC are stated to have arisen from a misunderstanding in the course of the matrimonial disputes, and there is no indication of any element of heinous or grave criminality. In such circumstances, quashing the FIRs would serve the ends of justice by allowing the parties to live in peace and harmony, rather than prolonging discord. In view of the amicable settlement reached between the parties, the likelihood of conviction is also remote. Continuation of the criminal proceedings would, therefore, serve no useful purpose and would impose an unnecessary burden on judicial resources.

19. The settlement between the parties contemplates payment of a total sum of Rs. 25,00,000/- to respondent No.2, of which Rs. 15,00,000/- have already been received by her, and the remaining Rs. 10,00,000/- has been handed over to her in Court. Consequently, the entire settlement amount has been fully received by respondent No.2. There is, therefore, no impediment to granting the relief sought.

20. In view of the foregoing, the petitions are allowed. Accordingly, FIR No. 211/2022 dated 09.03.2022, registered at Police Station Jafrabad, Delhi, under Sections 498A, 406, and 34 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961 [subject matter of CRL.M.C. 7972/2025], as well as FIR No. 431/2023 dated 23.08.2023, registered at



Police Station Jafrabad, Delhi, under Sections 354, 354A, and 509 of the IPC [subject matter of CRL.M.C. 7974/2025], alongwith all consequential proceedings arising therefrom, are hereby quashed.

21. The parties shall remain bound by the terms of the settlement.

22. The petitions, alongwith the pending applications, accordingly stand disposed of.

23. It is, however, clarified that the settlement arrived at between the parties, as well as the present order, shall not in any manner prejudice or affect the rights and interests of the minor children, whose custody shall continue to remain with respondent No. 2.

PRATEEK JALAN, J

APRIL 8, 2026

'Bhupi'/SD/