
(2025) 12 DEL CK 1902

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 9093/2025 & Criminal Miscellaneous Application No. 38072 Of 2025

Moazzam Ali & Ors

APPELLANT

Vs

State Of Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 19-12-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 406, 498A

Citation : (2025) 12 DEL CK 1902

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Shekhar Tripathi, Satinder Singh Bawa, Md. Shawez

Final Decision : Allowed

Judgement

Ravinder Dudeja, J

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No 369/2024, dated 10.04.2024, registered at P.S Paschim Vihar Delhi under Sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The factual matrix giving rise to the instant case is that the marriage between Petitioner No.1 and Respondent no. 2/complainant was solemnized on 26.06.2022 as per Muslim Rites and ceremonies at Bihar. No child was born out of the said wedlock. However, on account of temperamental differences Petitioner No.1 and Respondent No. 2 are living separately since 30.04.2023.

3. As per averments made in the FIR, Respondent No. 2 was subjected to physical and mental harassment on account of dowry demands by the petitioners. FIR No 369/2024 was lodged at the instance of respondent no. 2 at PS Paschim Vihar under sections 498A/406/34 IPC against the petitioners.

Subsequently Chargesheet was filed.

4. During the course of proceedings, the parties amicably resolved their disputes before the Delhi High Court Mediation and Conciliation Centre, New Delhi and the terms of settlement were written in the form of Settlement Agreement dated 22.08.2025. It is submitted that petitioner no.1 and respondent no. 2 dissolved their marriage on 22.08.2025 by way of Mubarat in accordance with the provisions of Muslim personal law and the petitioner no.1 has paid the entire settlement amount of Rs. 20,00,000/- (Rupees Twenty Lacs Only) to respondent no. 2 as per the schedule in the settlement. Copy of the settlement agreement dated 22.08.2025 has been annexed as Annexure B.

5. Petitioner No.1 is physically present before the Court along with the brother of Respondent No.2 while other petitioners and respondent no. 2 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer ASI Sandeep, from PS Paschim Vihar.

6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has received the entire settlement amount and has no objection if the FIR No 369/2024 is quashed against the Petitioners.

7. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No 369/2024 is quashed.

8. Hon'ble Supreme Court has recognized the need of amicable settlement of disputes in Rangappa Javoor vs The State Of Karnataka And Another, Diary No. 33313/2019, 2023 LiveLaw (SC) 74, Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr., (2013) 4 SCC 58 & in Gian Singh vs State of Punjab (2012) 10 SCC 303.

9. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon B.S. Joshi v. State of Haryana, (2003) 4 SCC.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

11. In the interest of justice, the petition is allowed, and the FIR No 369/2024, dated 10.04.2024, registered at P.S Paschim Vihar Delhi under Sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed.

12. Petition is allowed and disposed of accordingly.
13. Pending application(s), if any, also stand disposed of.