

**(2025) 07 DEL CK 0791**

**In the Delhi High Court**

**Case No : Writ Petition (Crl) No. 1765 Of 2025**

Mohammad Kashif & Ors

APPELLANT

Vs

State Nct Of Delhi & Anr

RESPONDENT

**Date of Decision : 03-07-2025**

**Acts Referred:**

Constitution of India, 1950 — Article 226  
Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528  
Indian Penal Code, 1860 — Section 34, 406, 498A  
Protection of Women from Domestic Violence Act, 2005 — Section 12

**Citation : (2025) 07 DEL CK 0791**

**Hon'ble Judges : Ravinder Dudgea, J**

**Bench : Single Bench**

**Advocate : S. Tabrez, Saifi Ahmed, Yasir Rauf Ansari, Alok Sharma,**

**Final Decision : Allowed**

## Judgement

Ravinder Dudgea, J.

1. This is a writ petition under Article 226 of the Constitution read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0187/2022, dated 16.03.2022, registered at P.S Sangam Vihar under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 15.03.2020 as per Muslim rites and ceremonies at Delhi. No child was born out of the said wedlock. It is submitted that due to temperamental differences, the couple started living separately since 20.06.2020. Thereafter, Respondent No.2 filed a complaint under section 12 of the DV Act and also lodged the aforesaid FIR against PetitionerNo.1 and his family members.

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 25.01.2025. In pursuance of the Settlement,

the parties have obtained talaq by mutual consent as per Shariyat Law and have executed a Termination Deed (including Mubaratnama) dated 25.01.2025, thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. The copy of the Termination Deed has been placed on record as Annexure-D. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn and all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 3,20,000/- (Rupees three lacs twenty thousand) as per the schedule mentioned in the Settlement Deed. The copy of Settlement Deed dated 25.01.2025 has been placed on record as Annexure-C.

4. Petitioner Nos. 2, 3, 5 and respondent No. 2 are physically - present before the Court while petitioner Nos. 1 and 4 have entered their appearance through VC. They have been identified by their respective counsels as well as by the Investigating Officer SI Raghuraj Singh, from PS Sangam Vihar.

5. Respondent No.2 confirms that the matter has been settled with the petitioners without any force, fear, coercion and she has received the payment of the entire settlement amount of Rs. 3,20,000/- (Rupees three lacs twenty thousand) from the Petitioner No.1 as per the schedule mentioned in the Settlement Deed. She further submits that she has no objection if the FIR No. 0187/2022 is quashed against the Petitioner No.1 and has tendered an NOC to that effect, which is placed on record as Annexure-E.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0187/2022 is quashed.

7. In *Gian Singh vs State of Punjab* (2012) 10 SCC 303, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 0187/2022, dated 16.03.2022, registered at P.S Sangam Vihar under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0187/2022, dated 16.03.2022, registered at P.S Sangam Vihar under sections 498A/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby

quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.