

(2025) 07 DEL CK 0939

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 4799 Of 2025 & Criminal
Miscellaneous Petition No. 20775 Of 2025

Suiab Ansari@Suaib And Ors

APPELLANT

Vs

State Govt Of Nct Delhi And Anr

RESPONDENT

Date of Decision : 21-07-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code, 1860 — Section 34, 406, 498A
Dowry Prohibition Act, 1961 — Section 4

Citation : (2025) 07 DEL CK 0939

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Ashok Kumar, Nikhil Yadav, Hitesh Vali

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. 496/2022, dated 31.10.2022, registered at P.S Seelampur, Delhi under Sections 498A/406/34 IPC & Section 4 of Dowry Prohibition Act 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 21.10.2020 according to Muslim rites and ceremonies at Delhi. It is submitted that one male child namely Saibo was born from the said wedlock on 07.11.2021. As per allegations in the FIR, Respondent No. 2 was subjected to mental and physical cruelty, sexual harassment and was instigated to commit suicide. She was thrown out of her matrimonial home by the petitioners. She was deprived of her stridhan. Thereafter, FIR No. 496/2022, dated 31.10.2022, was lodged at P.S Seelampur, Delhi under section 498A/406/34 IPC & Section 4 of Dowry Prohibition Act. Chargesheet has been filed against the Petitioners under

section 498A/406/34 IPC & Section 4 of Dowry Prohibition Act.

3. During the proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding dated 26.03.2025. In pursuance of settlement, Respondent No.2 and Petitioner No. 1 have started residing together along with their child. The copy of Memorandum of Understanding dated 26.03.2025 has been placed on record as Annexure A.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Gunjan from PS Seelampur.

5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has no objection if the FIR No. 496/2022 is quashed against the Petitioner.

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. 496/2022 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. 496/2022, dated 31.10.2022, registered at P.S Seelampur, Delhi under section 498A/406/34 IPC & Section 4 of Dowry Prohibition Act and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 496/2022, dated 31.10.2022, registered at P.S Seelampur, Delhi under section 498A/406/34 IPC & Section 4 of Dowry Prohibition Act 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.