



2025:DHC:6347



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 01.08.2025

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CRL.M.C. 1204/2025

MOHD. ASIF & ANR.

.....Petitioners

Through: Mr. Arshad Ahmad, Adv. along
with petitioners in person.

versus

THE STATE (GNCT OF DELHI) THROUGH SHO, PS
SARAI ROHILLA & ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the
State with ASI Ravinder & ASI
Ashok Kumar, PS Sarai
Rohilla.
R-2 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT (ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No. 0125/2017, dated 12.04.2017, registered at P.S Sarai Rohilla under sections 498A/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. It is submitted that marriage between Petitioner No.1 and Respondent No.2 was solemnized on 26.08.2012 as per Muslim rites and ceremonies at Ghaziabad. A male child was born from the said wedlock on 07.05.2013. It is submitted that due to temperamental



differences, the couple started living separately since November 2016. Thereafter, Respondent No.2 filed a complaint under section 12 of DV Act and also lodged the aforesaid FIR against the Petitioner No.1 and his family members. The charge sheet was filed under sections 498A/406/34 IPC.

3. During the proceedings, the parties amicably resolved their disputes and executed a Settlement Deed dated 24.01.2025. Prior to the settlement, the parties dissolved their marriage vide deed of divorce (talaq-e-ahsan) on 11.08.2024 which is annexed as *Annexure P-12*. It is submitted that all the previous complaints and litigations initiated by the parties has been withdrawn. The copy of Settlement Deed dated 24.01.2025 has been placed on record as Annexure P-13.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer ASI Ravinder & ASI Ashok Kumar from PS Sarai Rohilla.

5. Respondent No.2 confirms that the matter has been settled with the Petitioner without any force, fear, coercion and she has willfully agreed to live together with the Petitioner again. She further submits that she has no objection if the FIR No. 0125/2017, dated 12.04.2017, registered at P.S Sarai Rohilla 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. 0125/2017, dated 12.04.2017, registered at P.S Sarai Rohilla along with charge sheet 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. 0125/2017, dated 12.04.2017, registered at P.S Sarai Rohilla and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0125/2017, dated 12.04.2017, registered at P.S Sarai Rohilla along with charge sheet and all the other consequential proceeding emanating therefrom is hereby quashed.

10. Petition is allowed and disposed of accordingly.



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

RAVINDER DUDEJA, J

AUGUST 01, 2025/AK

