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

% *Date of Decision: 11th May, 2026*

+ CRL.M.C. 3635/2026 & CRL.M.A. 14761/2026 & CRL.M.A. 14762/2026

SAIF RAZA AND ANR.Petitioner

Through: Mr. Akshit Anand, Advocate.

versus

THE STATE OF NCT OF DELHI AND ANR

....Respondent

Through: Mr. Raj Kumar, APP.

Mr. Yakub Raza with Mr. Irfan Ahmad, Ms. Kanishka Negi, Advocates along with respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein seek quashing of FIR No. 331/2023 dated 14.07.2023, registered at Police Station Madhu Vihar, for commission of offences under Sections 377/406/498A/34 IPC, Section 3 and 4 of *Dowry Prohibition Act, 1961* and Section 4 of *Muslim Women (Protection of Rughths on Marriage) Act, 2019* along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.

2. Petitioner No.1 herein got married to respondent No.2 on 26.02.2019, as per Muslim rites and customs in Lucknow, Uttar Pradesh. There is no child from the abovesaid wedlock.

3. On account of some temperamental differences and incompatibilities, the parties started residing separately and when a complaint was lodged by respondent No.2, it resulted into registration of the abovesaid FIR. It is



pertinent to mention that, while registering the FIR, respondent No.2 made allegation against her husband for indulging into unnatural sex.

4. Charge-sheet has already been filed.

5. With the intervention of common friends and relatives, parties have entered into a comprehensive *Memorandum of Understanding* (MoU) dated 29.08.2025 and have been able to resolve all their disputes and have decided to part ways, gracefully.

6. Respondent No.2 is present in person and she has been duly identified by her counsel as well as by Investigating Officer.

7. When asked, respondent No.2 submitted that the matter has been amicably settled and she reiterates the terms of settlement as recorded in MoU. She states that she and petitioner no. 1 have taken decision to seek divorce (*talaq*) by pronouncement by the Maulana in accordance with Shariat law on 30.09.2025. A translated copy of the *sanad-e-talaq* has been placed on record.

8. She states that she has agreed to accept a total sum of Rs. 10,00,000/- as full and final settlement in lieu of alimony, Dower (*Mahr*), return of articles, maintenance (*Nafaqa*) (past, present and future). She submits that she has already received Rs.6,00,000/- and the balance amount of Rs. 4,00,000/- has been received today in the shape of Demand Draft dated 15.04.2026 drawn on Axis Bank. She states that she has entered into the abovesaid settlement out of her own free will, without any coercion and influence from any corner whatsoever and therefore, she would have '*no objection*' if FIR in question is quashed.

9. Learned counsel for the petitioner also submits that the petitioner No.1 has also filed the divorce petition pending before learned family Court



situated in Lucknow and states that such petition would also be withdrawn in terms of the amicable settlement between the parties.

10. The FIR was directed against three accused persons i.e. petitioner No.1 and his parents. Unfortunately, during pendency of the proceedings, the mother-in-law of respondent No.2 has expired, which fact is admitted by the prosecution. A copy of death certificate has also been placed on record.

11. In view of the settlement arrived at between the parties, continuing with criminal proceedings would serve no useful purpose, especially, when dispute does not involve any public interest and is, primarily, private in nature. In any case, even the complainant does not wish to press any charges against the petitioners.

12. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed appropriate to quash the instant FIR.

13. Consequently, to secure the ends of justice, FIR No. 331/2023 dated 14.07.2023, registered at Police Station Madhu Vihar, for commission of offences under Sections 377/406/498A/34 IPC, Section 3 and 4 of *Dowry Prohibition Act, 1961* and Section 4 of *Muslim Women (Protection of Rights on Marriage) Act, 2019* along with all consequential proceedings arising therefrom, is, hereby, quashed subject to petitioners' depositing total cost of Rs. 20,000/- in the account of *Delhi High Court Legal Services Committee* on or before the next date of hearing before the learned Trial Court. Original affidavits of the parties along with original MoU dated 29.08.2025, copies of which have been placed on record in the present proceedings, shall also be furnished to the learned Trial Court.

14. The petition stands disposed of in aforesaid terms.



15. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

MAY 11, 2026/sw/pb