



2025:DHC:6961



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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of decision: 18.08.2025

+ CRL.M.C.5600/2025 &amp; CRL.M.A. 24029/2025 EXEMPTION

SH. KHURSHID &amp; ORS. ....Petitioners

Through: along with petitioners in person.

versus

THE STATE NCT OF DELHI &amp; ANR. ....Respondents

Through: Mr. Hitesh Vali, APP for the  
State with SI Avanish Kumar,  
PS Krishna Nagar,  
Ms. Santosh Dixit, Adv. for R-2  
along with 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, seeking quashing of FIR No. 97/2017, dated 21.03.2017, registered at P.S Krishna Nagar, Delhi under Sections 354/354B/509/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The factual matrix, leading to the present petition are that respondent no. 2's marriage was solemnized with brother of petitioner no. 1 on 08.01.2017 as per Muslim rites and customs at Uttar Pradesh. No child was born out of the said wedlock. However, on account of



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temperamental differences Respondent No. 2 and her husband are living separately since 17.03.2017.

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. She further submits that petitioners tried to outrage her modesty. FIR No. 97/2017 was lodged at instance of Respondent No. 2 at PS Krishna Nagar under section 354/354B/509/34 IPC against the petitioners. Chargesheet and charges have since been filed/framed under sections 354/354B/509/34 IPC against the petitioners.

4. During the course of proceedings, the parties amicably resolved their disputes and Petitioner no. 1's brother and respondent no. 2 executed a Memorandum of Understanding dated 04.01.2025. In view of the aforesaid settlement, Petitioner No. 1's brother and Respondent No. 2 have agreed dissolved their marriage as per provisions of the Mohammedan Law. It is further agreed that Petitioner No. 1's brother will pay a total settlement amount of Rs. 9,00,000/- (Rupees Nine lacs only) as per the schedule in settlement. Copy of the Memorandum of Understanding dated 04.01.2025 has been annexed as Annexure B.

5. Petitioners and R-2 are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Avanish Kumar, from PS Krishna Nagar.



6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and has received the entire settlement amount of Rs. 9,00,000/- from the brother of petitioners including bank draft of Rs. 5,00,000/- received today. She states that she has no objection if the FIR No. 97/2017 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. 97/2017 is quashed.

8. In ***Rangappa Javoor vs The State Of Karnataka And Another, Diary No. 33313/2019, 2023 LiveLaw (SC) 74***, Hon'ble Supreme Court has recognized the need of amicable settlement of matrimonial disputes by observing as under:-

“This court has held that in cases of offences relating to matrimonial disputes, if the Court is satisfied that the parties have genuinely settled the disputes amicably, then for the purpose of securing ends of justice, criminal proceedings inter-se parties can be quashed by exercising the powers under Article 142 of the Constitution of India or even under Section 482 of Code of Criminal Procedure, 1973.”

9. 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



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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."

10. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the present FIR No. 97/2017, dated 21.03.2017, registered at P.S Krishna Nagar, Delhi under section 354/354B/509/34 IPC and all the other consequential proceeding emanating therefrom.

11. In the interest of justice, the petition is allowed, and the FIR No. 97/2017, dated 21.03.2017, registered at P.S Krishna Nagar, Delhi under section 354/354B/509/34 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.

**RAVINDER DUDEJA, J**

**August 18, 2025**

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