



2026:DHC:8254



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of decision:* 24.09.2026# **CNR No. DLHC010458062026**

+ CRL.M.C. 7152/2026

MOHAMMAD SHOHRAB @ SHOHRABPetitioner

Through: Mr. Bharat Saini, Adv. with
petitioner in person.

versus

STATE OF NCT OF DELHI AND ANOTHERRespondents

Through: Mr. Raghuinder Verma, APP
with PSI Diksha, PS
Mangolpuri.Mr. Abhishek Kumar, Mr.
Krishna Pandey, Advs. for R-2
with R-2 in person.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.****CRL.M.A. 29879/2026 (exemption)**

Allowed, subject to all just exceptions.

This application stands disposed of.

CRL.M.C. 7152/2026

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 106/2010, dated 5th March, 2010, registered at P.S Mangolpuri, Delhi under Sections



498/406 IPC and all proceedings emanating therefrom on the basis of compromise arrived at between the parties.

2. The marriage between complainant (respondent No.2 herein) and petitioner was solemnized on 10th April 2006, as per Muslim rites and customs. A child was born from the above said wedlock on 3rd October, 2007.

3. However, on account of temperamental differences, the parties started residing separately since 23rd April, 2008 and upon a complaint lodged by respondent No.2 before the CAW Cell, the abovesaid FIR was registered. Petitioner subsequently filed a suit for declaration against respondent no. 2.

4. Charge-sheet has already been filed under sections 498A/406/34 IPC and the matter is pending before the Ld. JMFC (Mahila Court)-02, North, Delhi bearing CR. Case No. 5285320/2016.

5. During the course of proceedings, the parties were referred to Mediation and were able to amicably resolve their disputes and the terms of the compromise were reduced into writing in the form of a Mediation Settlement Deed dated 22nd April, 2026 at Delhi Mediation Centre, Rohini Court, Delhi. It is submitted that petitioner and respondent no. 2 dissolved their marriage by executing *Talaq Nama* dated 23rd April 2008 as per the provisions of Muslim law and further obtained decree of divorce in the suit seeking declaration *vide* order dated 03rd December, 2009 and both the parties have also remarried. In view of the settlement respondent no. 2 has received all of her



istridhan articles, the custody of the child will be with Respondent no.2 and further respondent no. 2 agrees to withdraw the present FIR. Copy of the Mediation Settlement Deed dated 22nd April, 2026 has been annexed as Annexure-D.

6. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer PSI Diksha from PS Mangolpuri.

7. Respondent No.2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and she has received her *istridhan* articles and therefore, has no objection if the FIR No. 106/2010 is quashed against the Petitioner.

8. 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 petitioner.

9. Accordingly, exercising the inherent powers vested in this Court under Section 528 of the BNSS, it is deemed appropriate to quash the instant FIR.

10. Consequently, to secure the ends of justice, FIR No. 106/2010, dated 5th March, 2010, registered at P.S. Mangolpuri, Delhi under Sections 498/406 IPC, along with all consequential proceedings emanating therefrom, is hereby, quashed. Original affidavits of the parties, copies of which have been placed on record in the present



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proceedings, shall be submitted before the learned Trial Court, so that these become part of Trial Court Record and shall also be submitted to concerned SHO/IO within four weeks from today.

11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

September 24, 2026/SK