

**(2025) 12 DEL CK 0003**

**Delhi HC**

**Case No:** Criminal Miscellaneous Petition No. 8647 Of 2025

Shamroz Khan & Ors.

APPELLANT

Vs

State Govt Of Nct Of Delhi & Anr.

RESPONDENT

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**Date of Decision:** Dec. 20, 2025

**Acts Referred:**

- Bharatiya Nagarik Suraksha Sanhita, 2023- Section 528
- Code of Criminal Procedure, 1973- Section 482
- Indian Penal Code, 1860- Section 34, 406, 498A
- Dowry Prohibition Act, 1961- Section 4

**Hon'ble Judges:** Ravinder Dudeja, J

**Bench:** Single Bench

**Advocate:** Rajesh Kumar, Satinder Singh Bawa

**Final Decision:** Allowed

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**Judgement**

Ravinder Dudeja, J

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 445/2019, dated 24.08.2019, registered at P.S Welcome, Delhi under Sections 498A/406/34 IPC & 4 of Dowry Prohibition Act and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The factual matrix giving rise to the instant case is that the marriage between Petitioner No. 1 and Respondent no. 2/complainant was solemnized on 21.03.2015 as per Muslim Rites and ceremonies. One child was born out of the said wedlock. However, on account of temperamental differences Petitioner No. 1 and Respondent No. 2 are living separately since 20.07.2016.

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. FIR No. 445/2019 was lodged at the instance of respondent no. 2 at PS Welcome under

sections 498A/406/34 IPC & 4 of Dowry Prohibition Act against the petitioners. Subsequently Chargesheet was filed.

4. During the course of proceedings, the parties amicably resolved their disputes and the terms of settlement were written in the form of Mutual Agreement dated 17.06.2021. It is submitted that petitioner no.1 and respondent no. 2 have obtained divorce as per Shariyat on 17.06.2021, 19.07.2021, 20.08.2021 respectively and the petitioner no.1 has paid the entire settlement amount of Rs. 1,20,000/- (Rupees One Lac Twenty Thousand Only) to respondent no. 2 and the custody of the minor child shall be with respondent no. 2 and petitioner shall have no visitation rights as per the schedule in the settlement. Copy of the Mutual Agreement dated 17.06.2021 has been annexed as Annexure C.

5. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Vikram Singh, from P.S.Welcome.

6. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and she has received the entire settlement amount and has no objection if the FIR No. 445/2019 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. 445/2019 is quashed.

8. Honble Supreme Court has recognized the need of amicable settlement of disputes in **Rangappa Javoor vs The State Of Karnataka And Another, Diary No. 33313/2019, 2023 LiveLaw (SC) 74, Jitendra Raghuvanshi & Ors. vs Babita Raghuvanshi & Anr., (2013) 4 SCC 58 & in Gian Singh vs State of Punjab (2012) 10 SCC 303.**

9. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Supreme Court and this Court have repeatedly held that the cases arising out of matrimonial differences should be put to a quietus if the parties have reached an amicable settlement. Reliance may be placed upon **B.S. Joshi v. State of Haryana, (2003) 4 SCC.**

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

11. In the interest of justice, the petition is allowed, and the FIR No. 445/2019, dated 24.08.2019, registered at P.S Welcome, Delhi under Sections 498A/406/34 IPC & 4 of

Dowry Prohibition Act 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.