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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5299/2022 & CRL.M.A. 14721/2023
MR. GOVIND TALWAR & ANR. Petitioners
Through: Mr.Vaibhav Kush, Adv.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.
..... Respondents
Through: Mr.Aman Usman, APP with SI
Priyanka
Mr.Anirudh Sharma, Adv. for
R-2
R-2 (through VC)

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
25.01.2024

¶

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the FIR No.0221/2021 registered at Police Station: Safdarjung Enclave, South-West District, Delhi under Sections 498/34 of the Indian Penal Code, 1860 (in short, 'IPC') (replaced with under Sections 498A/34 of the IPC), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioners submits that the subject FIR was an offshoot of the matrimonial discord between the parties, that is, the petitioner no. 1 and the respondent no. 2. He submits that the parties have amicably settled all their *inter se* disputes by way of an out of court settlement, terms and conditions whereof have been



duly recorded in the order dated 28.07.2022 passed by the Division Bench of this court in MAT. APP. (FC) 101/2022 titled as ***Mr. Govind Talwar v. Ms. Deepti Sharma***. Pursuant to the above Settlement between the parties, the learned Family Court has, vide its judgement dated 27.08.2022, granted divorce to the parties by mutual consent.

3. The respondent no.2 is present through Video Conferencing and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms that she has settled all the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

4. I have perused the contents of the FIR and also the settlement entered into between the parties.

5. As the disputes between the parties arose out of a matrimonial relationship, and now the same have been amicably settled, a decree of divorce has also been passed by the learned Family Court pursuant to the settlement, and also looking into the nature of the allegations made in the complaint, in my opinion, no useful purpose would be served in keeping the FIR alive. In fact, it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

6. Guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303; ***Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.*** (2017) 9 SCC 641 and ***State of Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 3, this Court deems it



appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

7. Accordingly, the petition is allowed. FIR No. 0221/2021 registered at Police Station: Safdarjung Enclave, South-West District, Delhi under Sections 498/34 of the IPC (replaced with under Sections 498A/34 of the IPC) and all consequential proceedings emanating therefrom against the petitioners are quashed.

8. The petition and the pending application are disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 25, 2024/ns/ss

[Click here to check corrigendum, if any](#)