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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3327/2017**
SHAMMI KAPOOR

..... Petitioner

Through: Mr Vikas Shokeen, Advocate with
Mr. Shammi Kapoor Petitioner in
person.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. Izhar Ahmad APP for State, with
ASI Satya Pal P.S. Rajouri Garden
R-2 present in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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23.08.2017

CRL.M.A.13599/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3327/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.115/2010, under Sections 498-A/406/34 IPC, registered at Police Station-Rajouri Garden, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr. Shammi Kapoor got married with respondent No.2, Ms. Anita Kapoor on 06.12.2005 according to Hindu rites and customs. He further submits that due to temperamental differences and misunderstanding arisen between

them, the marital relations between them could not proceed further but consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences and their marriage has also been dissolved by mutual consent by a decree of divorce dated 04.09.2015 granted by the Principal Judge, Family Courts, West, Tis Hazari Courts, Delhi. He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioner. He further submits that the petitioner and the respondent No.2 want to lead their independent and peaceful life in near future and since all disputes have been settled between them, the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Ms. Anita Kapoor is present in Court today and has been identified by the Investigating Officer, ASI Satya Pal, P.S.-Rajouri Garden, Delhi. The complainant also admits that the matter has been amicably settled with the petitioner and as per the terms of settlement, she has already received all dues from the petitioner and the last instalment of Rs. 1 Lakh (Rs. One Lakh only) is received by her vide demand draft No.892941. She further submits that she has no claim or grievance left against the petitioner. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that their marriage has already been dissolved by mutual consent by a decree of divorce and she has no objection if the FIR in question is quashed.

Keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties and also the

marriage between the petitioner No. 1, Mr. Shammi Kapoor and respondent No.2, Ms. Anita Kapoor has already been dissolved by mutual consent by a decree of divorce dated 04.09.2015, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.115/2010, under Sections 498-A/406/34 IPC, registered at Police Station-Rajouri Garden, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

AUGUST 23, 2017

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