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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 2282/2016**

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..... Petitioner

Represented by: **Mr. Shivam Tripathi,**
Advocate.

versus

STATE & ANR

..... Respondents

Represented by: **Mr. Ravi Nayak, APP for the**
State with SI Vineet, PS Anand
Vihar.
Ms. Archana Sharma, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.05.2017

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1. By the present petition the petitioner seeks quashing of FIR No. 1387/2014 under Sections 406/420/120B IPC registered at PS Anand Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. In the above noted FIR the allegations of the complainant were that the petitioner prepared false documents on 21st August, 2013 promising to hand over possession and ownership of the second floor of the property No.348-A/3 Ashram Gali, Mandawali Fazalpur, Delhi for a sum of ₹16,26,000/- out of which ₹11 lakhs stood paid to the petitioner on various dates. Thereafter neither the flat was given nor the money returned. An

CRL.M.C. 2282/2016

Page 1 of 2

agreement was again entered into between the parties on 21st August, 2015 as per which it was stated by the petitioner that the amount of ₹13.10 lakhs had been given through post dated cheques bearing Nos.662670, 662671 and 662672 pursuant to order dated 21st August, 2015 passed by this Court in Bail Application No. 2567/2014. It was further stated that since the cheques were dishonoured the entire amount of ₹13,10,100/- was paid on 29th March, 2016 in full and final settlement of the claims of the respondent No.2.

3. Respondent No.2, who is present in Court and is identified by the investigating officer states that though a receipt was got signed however, the same was on the assurance that the balance amount of ₹3.50 lakhs will be paid later.

4. Learned counsel for the petitioner denies that any amount is due in view of the receipt dated 29th March, 2016 copy whereof is at page 28 of the paper-book. The complainant/respondent No.2 has shown to this Court the transactions into his bank account showing that in his account two transfers were made for a sum of ₹3.50 lakhs each on 25th August, 2016 and 10th October, 2016.

5. It is thus evident from these two transfers into the bank account of the complainant have made after it was noted in the receipt that full and final satisfaction of the claim of respondent No.2 was made on 29th March, 2016.

6. Petition is dismissed.

MUKTA GUPTA, J.

MAY 01, 2017/‘vn’

CRL.M.C. 2282/2016

Page 2 of 2