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

+ **W.P.(CRL) 971/2019**

BHUPESH DUA & ORS.

..... Petitioners

Through Mr Sahil Munjal, Mr Rohit Tyagi,
Advocates.

versus

STATE & ANR.

..... Respondents

Through Mr Rajesh Mahajan, ASC for State.
Ms Manpreet Kaur, Mr Manik Sachdeva,
Advocates for complainant.
ASI Sukhbir Singh, P.S. Tilak Nagar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.09.2019

1. The petitioners have filed the present petition, *inter alia*, praying that the FIR No. 0274/18 under Sections 406/498-A/34 of the Indian Penal Code, 1860 (IPC) registered with P.S. Tilak Nagar be quashed.
2. The petitioners are present in Court and are identified by their counsel.
3. The learned APP points out that in the memo of parties, petitioner no.5 is referred to as Anju Makkar, however, in the FIR she has been described as Sonam Kakkar w/o Ashwani Kakkar.
4. The learned counsel appearing for the petitioners states that petitioner no. 5 has two names Anju and Sonam and as far as her surname is concerned, there is a typographical error in the FIR as her surname is

Makkar and she is the wife of Ashwani Makkar and not Ashwani Kakkar.

5. The FIR in question was lodged at the instance of respondent no.2 (Pooja Dua). She is present in Court and is identified by the Investigation Officer. She states that she has amicably resolved the disputes with the petitioners. She states that there were certain matrimonial disputes between her and petitioner no. 1. The said disputes were settled in terms of the deed of compromise entered into on 12.10.2018. She states that they had separated and have since been divorced. She states that respondent no.2 has the custody of their minor daughter.

6. In terms of the said settlement petitioner no.1 had agreed to pay a sum of ₹10,00,000/- (Ten Lakhs Only) in full and final settlement of all claims raised by respondent no.2 and their daughter. Respondent no. 2 had agreed to accept the said sum of ₹10 lakhs in full and final settlement of her claims and also for taking care of the needs of their daughter.

7. Respondent no.2 states that a sum of ₹7 lakhs has already been paid and petitioner no.1 is required to pay a further sum of ₹3,00,000/- (Three Lakhs Only).

8. The petitioners have tendered a Manager's Cheque (Cheque No. 052950 dated 26.08.2019 drawn by HDFC Bank) for a sum of ₹3,00,000/-. Respondent no.2 has accepted the said cheque amount as full and final payment of the balance amount. She states that with the receipt of the said amount, she has no further grievance against the petitioners. The petitioners also state that they have no grievance against respondent no.2.

9. In view of the above statements, this Court is of the view that ends of justice would be served by quashing the FIR in question. Accordingly, FIR No. 0274/18 U/S 406/498-A/34 under the IPC registered with P.S. Tilak

Nagar and other proceedings arising therefrom are quashed.

10. The petitioners and respondent no.2 shall sign this order as an acknowledgement of their statements recorded herein.

11. The petition is disposed of.

VIBHU BAKHRU, J

SEPTEMBER 03, 2019/pkv