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

Date of Decision: 20th August, 2026

CNR No. DLHC010364102026

+ **W.P.(CRL) 2387/2026 & CRL.M.A. 24140/2026 & CRL.M.A. 24141/2026**

AJAY PANWAR ALIAS AJAY SINGH & ANR. Petitioner

Through: **Mr. Ranbir Singh Kundu and Mr. Shitanshu Saklani, Advocates**

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: **Mr. Yasir Rauf Ansari, ASC (Crl.) with Mr. Alok Sharma and Mr. Pavitra Dixit, Advocates for State/R-1 with SI Anil and ASI Anil, PS GTB Enclave**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. When the matter was taken up on 10.08.2026, following observations were made:-

“1. Petitioners seek quashing of FIR No.151/2025, registered at Police Station G.T.B. Enclave, for commission of offence under Section 316(5) of Bharatiya Nyaya Sanhita (BNS), 2023 (corresponding Section 409 IPC), along with all consequential proceedings arising therefrom, on the basis of settlement.

2. A suit was filed by M/s Jai Durga Traders Pvt. Ltd. It was a suit for recovery. It was against M/s Bela Creation Private Limited. The defendant Company i.e. M/s Bela Creation Private Limited was granted conditional leave to defend, subject to



deposit of amount of Rs.36,95,846/-. Since the amount was not deposited, a decree was passed.

3. Later on, when execution petition was filed and Court-Bailiff visited the property of JD Company, certain machineries were seized and were handed over to Ajay Panwar (petitioner No.1 herein), who was Manager of M/s Sriza Print Private Limited. He had claimed during execution that these machines had no connection with M/s Bela Creation Private Limited and were owned by M/s Sriza Print Private Limited. Fact, however, remains that though these were, after seizure, handed over on superdari to him, when the abovesaid premises was reinspected, the concerned Local Commissioner found the machines missing from the abovesaid premises.

4. It was in the abovesaid backdrop that there was direction by the concerned Court to register an FIR against Mr. Ajay Panwar for misappropriation of the superdari articles. It also observed that the concerned Director of M/s Sriza Print Private Limited was also responsible. Ms. Suresh Devi is Director of such Company. She is also a co-accused in the abovesaid FIR.

5. As per prosecution, role of her son-Raj Tomar is also being investigated.

6. Fact, however, remains that quashing is being sought for the reason that execution petition has already been disposed of, as fully satisfied and the decretal amount of Rs.45,00,000/- has been duly paid to the concerned Decree Holder. Sh. Anuj Kumar Gupta, who is authorized representative of the Decree Holder had accepted the abovesaid amount, as full and final settlement.

7. The Court has also seen order dated 24.07.2026 whereby the decree has been disposed of as satisfied. It also records that Decree Holder would also cooperate in quashing of FIR in question and it is for the abovesaid reason that the present petition has been filed which seeks quashing of FIR.



8. *Authorized Representative of the Decree Holder is also, reportedly, one of the Directors in the Decree Holder Company and submits that the matter has been amicably settled and in view of the settlement, Decree Holder Company would have no objection if the present FIR is quashed. According to him, there are two more Directors in the abovesaid Company i.e. Sh. Hans Kumar Jain and Sh. Anil Kumar.*

9. *Let the affidavits of the abovesaid two Directors, along with the Board Resolution be placed on record."*

2. In compliance of aforesaid directions, affidavits of other Directors i.e. Mr. Hans Kumar Jain and Mr. Anil Kumar have been filed and Board Resolution has also been placed on record.

3. Mr. Anil Kumar, Authorized Representative of *decree-holder* is present and reiterates that decree in question stands fully satisfied and they have already received the decretal amount of Rs. 45 lacs and are left with no grievance in the present matter and would have no objection if the FIR in question is quashed.

4. Undoubtedly, FIR had been registered on the basis of the directions given by the Court as the Court was of the view that certain machines handed over on *superdari* to the concerned official were found missing, when the premises were inspected later on. Fact, however, remains that dispute was, essentially, civil in nature and since the decree stands fully satisfied, no real purpose, therefore, would be served by keeping the matter alive.

5. One of the petitioners, who is in her seventies, was exempted from personal appearance by this Court.

6. Accordingly, exercising inherent powers vested in this Court under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, it is deemed



appropriate to quash both the FIR.

7. Consequently, to secure the ends of justice, FIR No.151/2025, registered at Police Station G.T.B. Enclave, for commission of offence under Section 316(5) of Bharatiya Nyaya Sanhita (BNS), 2023 (corresponding Section 409 IPC), along with all consequential proceedings arising therefrom, is quashed subject to total cost of Rs. 10,000/- to be deposited with *Delhi High Court Legal Services Committee* within four weeks from today.

8. Proof of deposit of cost and Original affidavits of the parties, copies of which have been filed with the present petition, shall be submitted to SHO/IO concerned within further four weeks so that these become part of Trial Court Record.

9. The petition stands disposed of in aforesaid terms.

10. Pending applications also stand disposed of.

(MANOJ JAIN)
JUDGE

AUGUST 20, 2026/dr/js