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

+ W.P.(CRL) 1341/2016 and CrI.M.A. No.7060/2016

ROHIT VERMA Petitioner

Through: Mr. Avinash Yadav, Advocate.

versus

STATE GOVT. OF NCT OF DELHI & ANR. Respondents

Through: Mr. R.S. Kundu, ASC and Mr. Ankit Kumar Gulia, Advocate along with SI Pramod Kumar, PS-Janakpuri, for the State.

Mr. Tarun Gomber & Mr. Gaurav Goswami, Advocates for and along with complainant in person.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

29.07.2016

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Issue notice. Mr. Kundu accepts notice on behalf of the State. Notice is accepted by respondent No.2/ Mukesh Chander, who is present in Court along with his counsel Mr. Tarun Gomber, who identifies respondent No.2. SI Pramod Kumar also identifies respondent No.2.

This petition has been preferred to seek quashing of FIR No.1395/2015 registered under Section 420/ 406 IPC at Police Station - Janakpuri, New Delhi against two accused, including the petitioner. The petitioner seeks quashing of the FIR so far as he is concerned. The aforesaid FIR came to be registered against two accused, namely Mr. Rajat Sadwani

and the petitioner. The case of the complainant in the FIR is that he was desirous of purchasing a residential flat. Rajat Sadwani was a property broker known to him. He introduced the complainant the flat bearing No.B-3/26, Second Floor, Janakpuri, New Delhi for purchase by the complainant. According to the complainant, the said flat was not owned by the petitioner but it was owned by M/s Fashions Pvt. Ltd. through Mrs. Sonia Verma, wife of the petitioner Rohit Verma, Mrs. Sonia Verma and Ms. Meenu Soni. An amount of Rs.50 Lakhs was paid by the complainant. Rajat Sadwani sought to return the said amount by cheque, which was dishonoured upon presentation. Consequently, the FIR came to be registered. During investigation, the petitioner has denied any role in the matter. The petitioner states that he has not received any amount from the complainant. He has also denied his signatures on the documents. In this background, the complainant and the petitioner have arrived at a settlement.

The complainant, who is present in Court, does not wish to proceed against the petitioner though he submits that he shall proceed with his complaint against Rajat Sadwani.

In view of the said settlement, the aforesaid FIR stands quashed qua the petitioner alone. The same shall, however, proceed in relation to the other co-accused Rajat Sadwani. The defence of the co-accused Rajat Sadwani shall, however, not be prejudiced by this order.

VIPIN SANGHI, J

JULY 29, 2016

B.S. Rohella