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

+ **W.P.(CRL) 2010/2019**

HARSH VASANT

..... Petitioner

Through Mr Mithlesh Kumar Pal, Advocate.

versus

STATE & ANR.

..... Respondents

Through Mr Piyush Singhal, Mr Ashish Aggarwal,
ASC for State.

SI Amit Kumar, with ASI Kavindra
Singh, P.S. Vasant Vihar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **18.10.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that FIR No. 1620/2015 under Section 420 of the IPC, registered with P.S. Vasant Vihar, New Delhi and all proceedings emanating therefrom, be quashed.
2. The present petition is predicated on a settlement arrived at between the petitioner and respondent no.2 (the complainant).
3. It is alleged that the complainant was desirous of purchasing a motor vehicle and had found an advertisement for the same on the OLX platform. On e-mail correspondence with the seller, he was directed to deposit a sum of ₹3 lakhs in a bank account of one Mohit International, account No. 0408010100000266n, J & K Bank, Ansal Plaza Branch, New Delhi. The complainant deposited the said amount, however, the vehicle as contracted

was not delivered to him. It is alleged that he sent several e-mails but received no response from the alleged seller. The complainant states that on receiving no response, he once again visited the online platform, namely 'OLX' and sent an email from his son's email ID, evincing an interest to purchase a car. He received a response by an email (to his son's email ID), which indicates that the seller was willing to enter into a transaction for selling the car once again. It transpires that the vehicle does not belong to the alleged seller or the petitioner herein and belongs to a third person.

4. It does appear from the above that some persons are using the said internet platform for consummating fictitious transactions and cheating innocent persons. This also appears from the fact that the alleged seller was willing to enter into a transaction once again with another person (the petitioner's son). Internet based platforms are now widely used by persons to enter into transactions and the misuse of such platforms to defraud their users would have an adverse effect the society at large. In this view, even though the petitioner and respondent no.2 have entered into a compromise, this Court does not consider it apposite to quash the FIR.

5. This Court is of the view that the matter must be investigated and the delinquent(s) ought to be prosecuted to the fullest extent of the law.

6. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

OCTOBER 18, 2019

pkv