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

+ **CRL.M.C. 770/2023**

M/S ANSAL HOUSING LTD. AND OTHERSPetitioners

Through: Mr. Manik Dogra, Sr. Advocate, Mr.
Siddharth Mehta, Mr. Vipin Mehta,
Advs.

versus

STATE AND OTHERS & ANR.Respondents

Through: Mr. Ajay Vikram Singh, APP for the
State.
SI Ram Chandra, EOW.
Ms. Neha Jain, Ms. Anjali Sisodia,
Advs. for R-2 to 19.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

31.01.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 3122/2025

2. The present application under Section 528 of the BNSS seeks the following prayers: -

“(a) Allow the present application for deletion of Petitioner No.2/Deepak Ansal from the array of parties.

(b) Take on record the Amended Memo of Parties filed along-with the present application.

(c) Grant any other relief as may be deemed fit and proper in the facts and circumstances of the present case.”

3. In view of the averments made in the application and in the interest of justice, the same is allowed and disposed of.

4. Petitioner No. 2/Deepak Ansal is deleted from the array of parties. The



amended memo of parties is taken on record.

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5. The present petition under Section 482 of the Cr.P.C. seeks quashing of FIR No. 20/2022, under Sections 406/420/409/120B of the IPC, registered at P.S. Economic Offences Wing (EOW), Mandir Marg, Delhi and all other proceedings emanating therefrom.

6. FIR in the present case was registered after conducting a preliminary inquiry by EOW on the basis of a complaint of Navjot Singh Ajmani (SPA holder of respondent no. 3) and other 11 complainants with regard to a project, “*Ansal Amantrre*”, initiated by the petitioner No.1, company namely, Ansal Housing Ltd. It was alleged by the complainants that the petitioner-company had taken money from them in the name of a subvention scheme by which the petitioner-company agreed to pay interest on the loan amount for 36 months with a buy-back offer. It is further alleged that neither the buy-back scheme was created nor any unit booked by the complainants were delivered to them.

7. Learned Senior Counsel appearing on behalf of the petitioners submits that during the course of the investigation, the matter was settled with 39 complainants.

8. *Vide* order dated 18.07.2024, the Predecessor Bench of this Court had directed that the Investigating Officer to carry out publication in the leading newspaper “Times of India” having wide circulation in Delhi/NCR regarding the pendency of the present petition so that, if any, complainants/victims are left, they can approach this Court.

9. In pursuance of the same, a status report dated 11.11.2024, has been placed on record wherein, it is stated as under: -

“1. That, in continuation of the previous status reports dated



10.04.2023 and 04.09.2023, it is submitted that, in compliance of the order dated 18/07/2024, of this Hon'ble Court, a publication regarding the pendency of the present petition was made in the Times of India on 14/09/2024. A copy of the publication is enclosed as Annexure-A.

2. That, in response to the notices under Section 91 CrPC, Mr. Kushagra Ansal, Director of Mis Ansal Housing Ltd, submitted that DTCP, Haryana sanctioned a total of 486 units for the alleged project i.e "Ansal Amantre". Out of these, 167 units were opened for booking, and subsequently, 39 units were sold/booked. He further submitted that all 39 bookings have either been refunded or transferred to another project, and the said project had been sold to Mis Perfect Megastructure Pvt Ltd. Currently, no booking stands in this project. He provided a list of 39 bookings. A copy of the list is attached as Annexure-B.

3. That, notices/intimations were sent to all the 39 individuals via email and WhatsApp, whose details were provided by the petitioner. Till date, 24 individuals, including 12 units buyers of the present FIR, have responded through email and mobile phone, confirming that they have settled their grievances with the petitioners. Efforts to contact the remaining individuals through phone calls, WhatsApp messages, and email have been made, but they have not responded so far. Most of these individuals are NRIs.

4. That, no fresh complaint has been received in EOW till date.”

10. The list of homebuyers who could not be connected with or responded with are as under: -

Home buyers who have not been responded.		
25	T8-1202	ANURADHA GOEL
26	T6-1002	ASHOK KUMAR PALIWAL
27	T6-1502	BIBEK CHAKRABARTY
28	T6-602	HETAL NAMAN SHAH
29	T7-2003	PREETI BABBAR
30	T6-1702	QIDEAT UDDIN KINDWAL



31	T6-2201	SANJAY KHANNA
32	INVES-1501	NARESH KUMAR RANSHAKAR
33	T7-401	NISHA RASTOGI
34	EDNBG-1002	ANUJA KALRA
35	T7-1901	AARTI SINGH
36	T8-701	ATUL KUMAR GARG
37	T6-1003	KEWAL KISHAN CHOPRA
38	GLSGW-1203	RAVI SHANKAR PRASAD SINGH
39	PERTH-1504	SUSHEELA KAUSHIK

11. Ms. Neha Jain, learned counsel appearing on behalf of respondent Nos. 2 to 19 confirms the said fact of settlement between the petitioners and the said respondents.

12. Authorised representative of the company is present in Court and have made a statement that the dispute in the present FIR has also been settled with the aforementioned home buyers who had not responded to the Investigating Officer. In case, it emerges, subsequently, that the claim of the aforesaid homebuyers are not settled, then, the said buyers will be at liberty to approach this Court for appropriate directions.

13. In **Gian Singh v. State of Punjab, (2012) 10 SCC 303**, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under: -

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer



to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

14. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 20/2022, under Sections 406/420/409/120B of the IPC, registered at P.S. Economic Offences Wing, Mandir Marg, Delhi and all other consequential proceedings emanating therefrom.

15. In the interest of justice, the petition is allowed, and the FIR No. 20/2022, under Sections 406/420/409/120B of the IPC, registered at P.S. Economic Offences Wing, Mandir Marg, Delhi and all other consequential proceedings emanating therefrom, is hereby quashed, subject to cost of Rs.2,00,000/- to be deposited by petitioners with Delhi High Court Advocates' Welfare Trust, within 15 days from today.

16. Petition is allowed and disposed of accordingly.

17. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 31, 2025/bsr

Click here to check corrigendum, if any