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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 315/2024& CRL.M.A. 2846/2024,CRL.M.A. 15631/2024**
M/S ATS REAL ESTATE BUILDERS PRIVATE LIMITED &
ANR.Petitioner

Through: Mr. Rajiv Nayar, Sr. Adv., Mr. Kartik
Nayar, Mr. Saurabh Seth, Mr. Krish
Kalra, Mr. Vaibhav Luthra, Adv.

versus

STATE OF NCT OF DELHI AND ANR.Respondent
Through: Mr. Amol Sinha, ASC
Ms. Jaya Tomar, Adv. for
Complainant No. 4,5 and 7

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
02.12.2024

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1. This is a petition seeking quashing of FIR No. 169/2021 under Section 406/420/120-B of IPC registered at PS, EOW, Delhi and consequential proceedings emanating therefrom.
2. As per the petition, the petitioner is a Developer company and had entered into Builder Buyer Agreement, wherein the petitioner was required to deliver possession of the flats.
3. Since there were violations of the terms of the Builder Buyer Agreement, the FIR was filed.
4. The order dated 30.01.2024 records that in the present FIR there are 22 aggrieved persons (flat purchasers in the petitioner's project) however a common FIR has been filed in the name of respondent no. 2.
5. Mr. Nayar, learned senior counsel for the petitioner, on instructions,



state that the matter has been settled with all 22 complainants.

6. Mr. Sinha, learned ASC, on instructions of IO Mr. Pankaj Kumar, Inspector, PS EOW, states that the said factum has been verified from all the 22 investors and a status report in this regard has been handed over in court. The same is taken on record.

7. Ms. Jaya Tomar, learned counsel appears for complainant No. 4, 5 and 7 and accepts the said fact.

8. Since the status report has been handed over, where it has come on record that the petitioner has amicably settled the matter with 22 complainants. I am of the opinion that no useful purpose would be served in prosecuting the FIR any further as the parties have arrived at a voluntary settlement and settled their disputes.

9. I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice. The Court does not see any fruitful purpose if criminal proceedings as permitted to continue any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

10. However, I am of the view that considerable time of the police and judicial time has been wasted. The police machinery has been put in motion on account of the acts of commission & omission on behalf of the parties and useful time of the police which could have been utilised for important matters has been misdirected towards this case. Hence, the petitioners must pay some costs.

11. For the said reasons, subject to the petitioner depositing Rs. 50,000/- with DHCLSC within 4 weeks from today, the FIR No. 169/2021 under Section 406/420/120-B of IPC registered at PS, EOW, Delhi and



consequential proceedings emanating therefrom quashed.

12. The proof of payment be filed within 6 weeks thereafter, failing which file will be put up.

13. Status report is taken on record.

JASMEET SINGH, J

DECEMBER 2, 2024/NG