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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 715/2023 & CRL.M.A. 6630/2023, CRL.M.A.
25841/2023, CRL.M.A. 25844/2023 & CRL.M.A. 4326/2024
EMAAR INDIA LIMITED & ANR. Petitioners

Through: Petitioners with their counsel
Mr.Nimish Chib, Mr.Anmol Dandona
and Mr. Ankit Rana, Advs.

versus

STATE NCT OF DELHI & ORS. Respondents

Through: Mr.Amol Sinha, ASC for the State
with Mr. Kshitiz Garg, Mr. Ashvini
Kumar and Ms. Chavi Lazarus, Advs.
along with SI Ajay Swami, P.S.
EOW.

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
17.05.2024

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1. The present writ petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') seeks quashing of FIR No. 09/2023, under Sections 420/406/120B of the Indian Penal Code, 1860 ('IPC'), registered at Police Station Economic Offences Wing, Delhi.
2. The learned predecessor Bench of this Court *vide* its order dated 22.09.2023 had observed as under:

"1. The present writ petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of FIR No. 09/2023, under



Sections 420/406/120B of the IPC, registered at P.S. EOW.

2. On the last date of hearing, i.e., 26.07.2023, it was pointed out that in the present FIR, four complaints had been received and out of the said four complaints, 3 complaints stand settled with the respective complainants. The fourth complaint was filed on behalf of respondents no. 4 and 5.

3. Learned Senior Counsel for the petitioner submits that the dispute now stands settled with respondents no. 4 and 5 as well, vide settlement agreement dated 08.09.2023. It is submitted that in pursuance of the said settlement, respondents no. 4 and 5 have no objection if the present FIR is quashed.

4. Respondents no. 4 and 5 present in Court alongwith counsel do not dispute the same.

5. Pursuant to the aforesaid settlement dated 08.09.2023, a demand draft bearing number 299420, dated 06.09.2023 for a sum of Rs. 10,216,000/- drawn on The Honkong and Shanghai Banking Corporation Limited, Gurgaon Branch has been handed over to respondent no. 4, Ms. Monika Patni. A demand draft bearing number 22419, dated 06.09.2023 for a sum of Rs. 10,216,000/- drawn on The Honkong and Shanghai Banking Corporation Limited, Gurgaon Branch has been handed over to respondent no. 5, Mr. Manish Kumar Patni.

6. Respondents no. 4 and 5 acknowledge the receipt of the same.

7. At request of learned Senior Counsel appearing on behalf of the petitioners, in order to enable him to file an amended memo of parties, renotify on 17.10.2023.”

3. In terms of the above order, the Amended memo of parties has been filed and the same is on record. It is stated by the learned counsel for the



petitioners that respondents No. 4 and 5 had appeared before this Court and their statements had been recorded *vide* the order dated 22.09.2023.

4. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, this Court is of the opinion that no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

5. Considering the above facts and circumstances, FIR No.09/2023 registered at Police Station EOW, under Sections 420/406/120B Indian Penal Code, 1860 ('IPC') and all subsequent proceedings emanating therefore stand quashed.

6. In view thereof, the present petition stands disposed of, along with pending applications, if any.

7. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 17, 2024/A

Click here to check corrigendum, if any