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

+ **CRL.M.C. 1212/2022**

EMAAR INDIA LTD

..... Petitioner

Through: Mr.Nimish Chib, Mr.Anmol,
Mr.Ankit Rana, Ms.Tarini
Khurana, Advs.

versus

THE STATE & ORS.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
SI Kuldeep Bhati.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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22.03.2024

1. This petition has been filed by the petitioner, seeking quashing of FIR No.272/2018 registered at Police Station: EOW, Mandir Marg, New Delhi under Sections 406/420/120B of the Indian Penal Code, 1860, on the basis of a settlement.
2. On 10.04.2023, statement of Mr.Sumit Harjai, who is also an attorney of his father Sh.Somnath Harjai, was recorded that the disputes have been settled between the parties. In fact, the terms of the settlement were detailed in the order. The matter was adjourned as Mr.Alok Goel, the other complainant had expired.
3. On 14.02.2024, the wife of Mr.Alok Goel, that is, Ms.Parul Goel, was personally present in Court. She stated that she does not wish to pursue her case against the petitioner any further.
4. This Court, however, directed the respondent no.1 to verify if there were other similar complaints received against the petitioner for the said project.
5. A copy of the status report has now been handed over by the learned



APP, wherein it is stated that on inquiry from EOW as also other Units of the Delhi Police, no other complaint relating to the project in question in the present case has been found to be received nor is any case pending with the Delhi Police, except the present one.

6. In view of the above report and in view of the settlement arrived at between the petitioner and the complaint, as also being guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 3, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.
7. Accordingly, the petition is allowed. FIR No.272/2018 registered at Police Station: EOW, Mandir Marg, New Delhi under Sections 406/420/120B of the IPC is quashed, subject to the petitioner depositing costs of Rs.50,000/- with the Delhi Police Martyrs' Fund, [Bank Name: UCO Bank, IIPA, ITO, New Delhi, A/c No. 18200110036907], and filing proof of such deposit with the Registry of this Court and also supplying a copy thereof to the IO, within four weeks from today.

NAVIN CHAWLA, J

MARCH 22, 2024
RN/RP

Click here to check corrigendum, if any