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

+ **CRL.M.C. 6073/2024**

**RIDHI KUMAR @ RIDHI KALRA**

.....Petitioner

Through: Mr. N. Hariharan, Sr. Adv. with Mr. Siddharth S Yadav, Mr. Ayush K Singh, Ms. Sana Singh, Mr. Sharian Mukherji, Ms. Sneha Bakshiram, Mr. Rahul Yadav, Mohd. Qasim, Advs.

versus

**THE STATE GOVT. OF NCT OF DEHLI AND ANR.**

.....Respondents

Through: Mr. Satish Kumar, APP for the State with Inspector Randheer Kumar Ravi, PS Civil Lines, North Distt.  
Mr. Digvijay Singh Adv.for R-2 with R-2 (VC)  
Mr. Kashish Ahuja, Adv. for R-2 with R-2

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**19.09.2024**

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1. The present petition has been filed seeking quashing of FIR no. 57/2020 dated 20.03.2020 registered at PS Civil Lines, Delhi under Sections 420/34 IPC and subsequently section 467/468/471/120B /174A IPC were added, and all other proceedings arising from it with respect to the present petitioner.
2. Sh. N. Hariharan, learned senior counsel for the petitioner submits that in the chargesheet filed by the police, the petitioner has been placed in the column no. 2. Learned senior counsel for the petitioner



submits that in fact, the police has filed the chargesheet against the main accused persons namely Renu Kalra and her son Raghav Karla. The allegations in brief were that Mrs. Renu Kalra and Mr. Raghav Kalra represented to complainant i.e. respondent No.2 that the petitioner was the absolute owner and had the lawful possession of the commercial property admeasuring 9.3 sq. Mtrs. Bearing Shop No. 04 on the ground floor of 16-UB, Bungalow Road, Jawahar Nagar, Kamla Nagar, Delhi-110047. It was represented that Ms. Ridhi Kalra had executed a duly registered GPA dated 6.10.2015 in favour of Raghav Kalra. Allegedly, the accused persons represented that the shop is free from all sorts of encumbrances and he could yield rental income.

3. The complainant believing the same and purchased the shop for a valid consideration of Rs.13,50,000/-. Allegedly, Mr. Raghav Kalra executed a registered Sale deed in favour of complainant. The possession of the shop was taken by the complainant. However, the complainant was informed by the Kotak Mahindra Bank that a person represented himself to be registered owner of the shop No. 4 in 16-UB, Bungalow Road, Jawahar Nagar, Kamla Nagar, Delhi-07 which was sold to the complainant by Mr. Raghav Kalra. A request was made to the Kotak Mahindra Bank i.e. tenant in shop No.4 to transfer the rental income to the said person. Allegedly, the accused persons Mr. Raghav Kalra and Mrs. Renu Kalra had sold the shop no. 4 to Niharika Jain and Harsh Gupta for a consideration of Rs.25,00,000/- behind the back of the complainant. During the course of the investigation, as per the status report handed over by the



learned APP for the State filed by the Inspector Satvinder Rana, Station House Officer, PS Civil Lines, Delhi dated 02.09.2024, though, the name of the present petitioner was mentioned in the FIR as well as her name was raised by one of the victims namely Meenakshi Dabla. But during the course of investigation, no concrete evidence has come on the record to prove her involvement while committing the alleged offence. The status report reveals that no evidence has surfaced which proves that any alleged amount was ever transferred to Ridhi Kalra and there were only oral allegations against her. It has been submitted that for the want of evidence, petitioner's name was kept in column-2. Along with the petition the affidavit of respondent No.2 has also been filed wherein it is stated that he has settled all his disputes/claims with the petitioner and does not want to proceed further against the petitioner.

4. Respondent No.2 is present in person and has been identified by I.O. and states that he does not want to proceed against the petitioner.
5. Learned APP for the State has raised the objection that it is the case of partial quashing.
6. In ***Lovely Salhotra and Another v. State (NCT of Delhi ) and Another*** 2018 12 SCC 391 it was *inter-alia* held that FIR can be quashed in part and a person cannot be allowed to suffer on the basis of the complaint only on the ground that investigation against co accused is still pending
7. Learned senior counsel submits that since the petitioner has only been placed in column-2 and in the status report also, it has been stated that no material was found against her, the jurisdiction of partial quashing



can be exercised. In ***Gian Singh v. State of Punjab*** (2012) 10 SCC 303 it was *inter alia* held that if the continuation of criminal proceedings tantamount to abuse of process of law. The court may exercise the jurisdiction to secure ends of the justice.

8. I consider that since the investigating agency itself has found no material against the petitioner, the continuation of the proceedings against the petitioner would futile and only be an abuse of process of law. It would be in the interest of justice to put a quietus to the dispute. The chances of conviction would also be bleak and remote, given the fact that the respondent no 2 does not wish to pursue the present complaint on account of the settlement.
9. Taking into account the totality of facts and circumstances, the case FIR no. 57/2020 dated 20.03.2020 registered at PS Civil Lines, Delhi under Sections 420/34 IPC and subsequently section 467/468/471/120B/174A IPC were added, and all proceedings emanating therefrom with respect the present petitioner are quashed in order to secure the ends of justice.
10. The present petition along with the pending application, if any, stands disposed of.

**DINESH KUMAR SHARMA, J**

**SEPTEMBER 19, 2024**

*Pallavi/ht*