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

+ **CRL.M.C. 6520/2024**

RAHEJA DEVELOPERS LTD & ORS.Petitioners
Through: Ms Kajal, Adv.

versus

STATE OF NCT OF DELHI & ANR.Respondents
Through: Mr Sunil Kumar Gautam, APP for State
SI Mohit Malik, PS-Saket

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

20.12.2024

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1. This is a petition seeking quashing of FIR No. 171/2024 dated 01.03.2024, under Sections 406/420/120-B/34 of IPC, registered at Police Station – Saket, District: South Delhi and consequential proceedings, if any, emanating therefrom.
2. As per the FIR, the complainant had applied for a flat with the petitioners and made a payment of about Rs. 15.22 lakhs. However, neither the flat was completed nor the possession was given to the complainant. Hence, the FIR.
3. During the pendency of the proceedings, the parties have arrived at a settlement in September, 2023 wherein the respondent No. 2 has settled all the disputes for a sum of Rs. 24.5 lakhs. Rs. 20,12,500/- lakhs has already been paid.
4. Even though a demand draft has been brought today in the Court for balance sum of Rs. 4,37,500/-, since the respondent No. 2 is appearing



through VC he states that the amount be credited in his bank account within four working days.

5. The petitioner Nos. 2, 3 and 4 are present in Court through video conferencing and petitioner No. 1 is being represented by Mr Arun Singh Rathaur and they have been identified by their counsel Ms Kajal. Respondent No. 2 is also present in Court through VC and has been identified by the IO SI Mohit Malik, PS-Saket.

6. Both the parties state that they have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion.

7. It is stated by respondent No. 2 that he has no objection if the FIR is quashed.

8. Since the parties have arrived at a settlement and no disputes are pending, 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 are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

9. 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.

10. For the reasons stated above, FIR No. 171/2024 dated 01.03.2024, under Sections 406/420/120-B/34 of IPC, registered at Police Station –



Saket, District: South Delhi and consequential proceedings, if any, emanating therefrom are hereby quashed subject to remaining amount of Rs. 4,37,500/- being paid to respondent no. 2 in his bank account. In addition, the petitioners shall pay costs of Rs. 40,000/- collectively out of which Rs. 20,000/- shall be paid to the respondent No. 2 and the remaining Rs. 20,000/- shall be deposited with the DSLSA within a period of four weeks from today.

11. The proof of payment of cost shall be filed in the Registry within 6 weeks and in case the same is not furnished, this file be put up before the Court.

12. The petition is disposed of accordingly.

JASMEET SINGH, J

DECEMBER 20, 2024

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[Click here to check corrigendum, if any](#)