



\$~45

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

+ **W.P.(CRL) 4/2024**

ASHISH SRIVASTAVA

.....Petitioner

Through: **Mr. P. S. Sridhar Raj, Mr. Abishek Pandey, Mr. Manish Kumar Raghav and Ms. Sharmila, Advocates**

versus

NCT OF DELHI & ORS.

.....Respondents

Through: **Mr. Amol Sinha, ASC for State with Mr. Kshitiz Garg, Mr. Ashvini Kumar, Ms. Chavi Lazarus and Ms. Sanskriti Nimbekar, Advocates along with Insp. Pankaj Kumar, PS EOW**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

%

08.01.2025

CRL.M.A. 237/2025

1. This is an application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking rectification of the error in order dated 02.12.2024 with respect to the date of the F.I.R. In addition, the counsel for the Petitioner prays for marking the presence of the counsel, who appeared on the said date on behalf of the Petitioner.
2. The learned counsel appearing for the State submits that he has no objection to the relief sought.
3. Since, the correction sought is the matter of record, the application is allowed.



4. The order dated 02.12.2024 is corrected as follows and the corrections are highlighted in bold:-

“\$~123

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

+ W.P.(CRL) 4/2024

ASHISH SRIVASTAVA

.....Petitioner

Through: **Mr. P. S. Sridhar Raj, Mr. Abishek Pandey and Ms. Sharmila Lenka, Advocates**

versus

NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Amol Sinha, ASC
Mr. Kartik Nayar, Mr. Krish Kalra,
Mr. Vaibhav Luthra, Advs.
Ms. Jaya Tomar, Adv. for
Complainant No. 4,5 and 7

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **02.12.2024**

CRL.M.A. 237/2025

1. This is a petition seeking quashing of FIR 169/2021 dated **08.11.2021** u/s 420/406/120B IPC registered at PS, EOW, Delhi and consequential proceedings emanating therefrom qua the petitioner.

2. As per the FIR, since M/s ATS Real Estate Builders Pvt. Ltd. had committed defaults in the Builder Buyer Agreement, the FIR was registered.

3. It is stated that the petitioner was an authorized signatory in M/s ATS Real Estate Builders Pvt. Ltd. and had no personal interest. Since respondent No. 3 was the builder and the petitioner was only a signatory, none of the amounts were received by the petitioner in his account but were received by the respondent no 3.

4. Respondent No. 2 appears through video conferencing mode and states that all the grievances of respondents No. 2 has been satisfied



against M/s ATS Real Estate Builders Pvt. Ltd, i.e. respondents No. 3.

5. Since the dispute was primarily pending between the respondent no. 2 and respondent no. 3 and the same has been settled, I am of the opinion that no useful purpose would be served in prosecuting the FIR any further on the ground that the parties have arrived at a voluntary settlement and settled their disputes.

6. 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.

7. For the said reasons, the FIR No. 169/2021 under Section 406/420/120-B of IPC registered at PS, EOW, Delhi and consequential proceedings emanating therefrom qua the petitioner are quashed.

8. The petition is disposed of.

JASMEET SINGH, J

DECEMBER 2, 2024/NG”

MANMEET PRITAM SINGH ARORA, J

JANUARY 8, 2025/rhc/sk