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

+ **W.P.(CRL) 3586/2024 & CRL.M.A. 34350/2024,**
CRL.M.A. 34351/2024, CRL.M.A. 34352/2024

ATUL KHANNA

.....Petitioner

Through: Ms. Jyoti Mendiratta, Mr.
Sandeep Das, Ms. Anandini
Rathore, Mr. Tejasvi
Mahajan, Advs.

versus

STATE GOVT. OF NCT OF DELHI
AND ORS.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC
for the State with Mr. Alok
Sharma and Mr. Vasu
Agarwal, Advs. with SI
Pavan Kumar, DIU/SE.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

18.11.2024

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1. By the present petition, the petitioner prays as under :

- a. *Pass a writ of mandamus or any other appropriate writ / order or direction for proper investigation of offences in the FIR bearing no. 396 of 2016, dated 12.08.2016, filed under Section(s) 406, 420, and 34 of the Indian Penal Code, 1860, registered at Sarita Vihar Police Station, New Delhi; and*
- b. *Pass an order for monitoring the investigation in the FIR bearing no. 396 of 2016, dated 12.08.2016, filed under Section(s) 406, 420, and 34 of the Indian Penal Code, 1860, registered at Sarita Vihar Police Station, New Delhi; and /or*
Pass any other such orders as deemed fit and necessary in view of the facts and circumstances and in the interest of justice.

2. The learned counsel for the petitioner submits that the investigation of the FIR was delayed at the instance of the accused, who on an earlier occasion, filed a petition before this Court seeking quashing of the FIR.



3. She submits that the accused had settled the dispute, however, did not comply with the terms of settlement and the petition filed seeking quashing of the FIR was ultimately withdrawn.
4. She submits that the same led to delay of almost five years.
5. She submits that the petitioner is a *bona fide* homebuyer and is aggrieved by such delay in investigation.
6. The learned Additional Standing Counsel (ASC) for the State, at the outset on instructions, submits that the Final Report is likely to be filed within a period of two – three weeks.
7. In view of the statement given by the learned ASC for the State, the learned counsel for the petitioner seeks liberty to withdraw the present petition and file an appropriate petition at a subsequent stage if any grievance remains.
8. The present petition is dismissed as withdrawn with the aforesaid liberty. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 18, 2024

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