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Crl.O.P.No.18230 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.18230 of 2023
and Crl.M.P.No.12100 of 2023

1.Bajaj Properties Developer Pvt. Ltd.,
Rep. by its Director Rajesh S.Bajaj,
S/o Shrichand Bajaj

2.Anuja R.Bajaj
W/o Rajesh S.Bajaj,

... Petitioner

Vs.

1.The State, Rep., by
Inspector of Police, (Team-I)- EDF-1,
Central Crime Branch, Chennai.

2.Sampath Kumar

...Respondent(s)

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to issue a writ of certiorari to call for the records and quash the FIR in Crime No.292 of 2015 dated 24.07.2015 on the file of 1st respondent.

For Petitioner(s) : Mr.T.K.S. Gandhi

For Respondents: Mr.K.M.D.Muhilan for R1
Additional Public prosecutor
Mr.M.Mohammed Hamza Ameer for R2



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ORDER

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This criminal original petition has been filed, to call for the records and quash the FIR in Crime No.292 of 2015 dated 24.07.2015 on the file of the 1st respondent.

2.When the matter is taken up today, the learned counsel appearing for the petitioners would submit that while considering the anticipatory bail application of the petitioners, the learned Judge, City Civil Court, Chennai, has referred the matter for mediation and the parties had also appeared before the mediation on 16.03.2022 and the de facto complainant and the petitioners have entered into a compromise on 17.03.2022, and pursuant to which, the second petitioner had paid an amount of Rs.13,05,000/- as agreed as full and final settlement of all disputes between them in respect of the above transaction and the de facto complainant had also accepted the same and thereby, he would seek to quash the proceedings.

3.Learned Additional Public Prosecutor appearing for the 1st respondent would submit that the investigation is pending.



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4.Per contra, learned counsel appearing for the second respondent-de facto complainant would submit that as per the complaint, the petitioners/accused 1 and 2 had cheated the defacto complainant to the tune of Rs.30 lakhs i.e., Rs.12 lakhs was received by the 1st petitioner and Rs.18 lakhs was received by the 2nd petitioner on behalf of M/s Mahalakshmi Enterprises. In respect of receipt of Rs.18 lakhs received by the 2nd petitioner, she had paid Rs.13,05,000/- and the balance amount was not paid and also Rs.12 lakhs remains to be paid by the 1st petitioner and he would also submit that the joint memo of compromise is with regard to the second part alone and thereby, he would object to quash the proceeding.

5.Though the petitioners claim that the entire matter has been compromised, it is the case of the de facto complainant that he has settled the issue with regard to the second petitioner alone and not the 1st petitioner-company represented by the Director.

6.In view of the above, the First Information Report in respect of Crime No.292 of 2015 dated 24.07.2015 on the file of the first



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respondent is quashed in respect of 2nd petitioner alone. The first respondent police are directed to continue with the investigation with respect to the offence committed by the 1st petitioner.

7.With the above direction, the above criminal original petition is disposed of.

07.11.2025

Neutral Citation:Yes/No

raa

To

1.The Inspector of Police, (Team-I)- EDF-1,
Central Crime Branch, Chennai.

2.The Public Prosecutor,
Madras High Court, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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