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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 191/2025**
MIRAZ KHAN @ MERAZ KHAN

.....Petitioner

Through: Mr. Nitesh Baliyan, Ms. Payal
Budhiraja, Advs.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Sanjay Lao, SC with Mr.
Abhinav Kr. Arya, Adv.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
27.01.2025

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1. This is a petition seeking quashing of the FIR No. 175/2024 dated 28.07.2024 under Sections 309(6)/126(2)/140(2)/3(5) of BNS, 2023 registered at P.S. Gulabi Bagh, Delhi and consequential proceedings emanating therefrom.
2. As per the FIR, it is stated that the complainant sent the petitioner (his employee's brother-in-law) to collect the payment of about Rs. 60 lakhs from one of his friends on 26.07.2024. After collection of the said amount, the petitioner got registered the aforesaid FIR on the ground that while returning 3 persons sprayed something in the eyes of the petitioner and looted Rs. 60 lakhs from him.
3. During investigation, it was transpired that no such incident took place but the petitioner himself passed the money to one of his friends. The



entire story was concocted by the petitioner.

4. Subsequently, no charge sheet was filed during investigation and Sections 316(3) and 317(2) of BNS, 2023 were added.
5. During the pendency of the proceedings, the parties have arrived at a settlement on 15.01.2025.
6. Since it is the money of the respondent No. 2 and the respondent No. 2 does not wish to litigate, the respondent No. 2 has agreed for the quashing of the FIR.
7. I am of the view that even though the allegations against the petitioner are of serious nature, the fact that the petitioner has regretted his action and has got recovered the entire amount that was missing, the respondent No. 2 i.e. the owner of the money has no objection to quashing of the FIR.
8. 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 petitioner and useful time of the police which could have been utilised for important matters has been misdirected towards this case. Hence, the petitioner must pay some costs.
10. It is directed that the petitioner will pay costs of Rs. 1.5 lakhs to the Delhi Police Welfare Fund and Rs. 1.5 lakhs to the Delhi High Court



Bar Association.

11. Subject to the aforesaid payments, the aforesaid FIR and the consequential proceedings emanating thereafter are quashed.
12. On showing the proof of payment of the costs, the amount of Rs. 60 lakhs lying with the Police shall be released to the respondent No. 2 forthwith.
13. The proof of costs shall be placed on record within 4 weeks and in case the cost is not paid by the petitioner, the file will be put up before the Court.
14. The petition is disposed of in the aforesaid terms.
15. *Dasti.*

JASMEET SINGH, J

JANUARY 27, 2025/(MS)

Click here to check corrigendum, if any