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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 506/2025 & CRL.M.A. 15042/2025
SUNWAY INFRASTRUCTURE SERVICES LIMITED AND ANR.

.....Petitioners
Through: Mr. Mohit Mathur, Mr. Pawanshree Aggarwal, Mr. Archit upadhayay, Mr. Harsh Gautam, Mr. Vignesh Ramanathan, Mr. Kartik Sharma, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondent
Through: Mr. Rahul Tyagi, ASC (Crl) for State along with Insp. Satvir PS: EOW Mr. Kush Sharma, Advocate for BOB.

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
% **21.05.2025**

1. By way of the present petition, the petitioners are seeking quashing of FIR bearing no. 43/2020, registered at Police Station EOW, New Delhi, for the commission of offences punishable under Sections 420/467/468/471/120B of Indian Penal Code, 1860 (hereafter 'IPC').
2. Issue notice. Mr. Rahul Tyagi, ASC (Crl) for State accepts notice on behalf of the State.
3. Brief facts of the present case are that the present case was registered on the complaint of Sh. Devinder Pal Grover, Regional Office (DMR-I),



Bank of Baroda Bhawan, Sansad Marg, New Delhi, reported that M/s Sunway Infrastructure Services Ltd. (i.e SISL) had approached the Bank of Baroda, Parliament Street Branch, New Delhi, for sanction of Term Loan of Rs.10 crores for the purchase of 15 construction equipments/machines, manufactures by Germany based M/s Putzmeister and china based M/s Sanyo Company. It is stated that the term loan of Rs 8.5 crores were sanctioned to alleged company, and on the request of M/s SISL (Borrowers Company), the bank had remitted Rs. 8.5 Crores directly to M/s Akshar Marketing at 28, Bagadganj, Nagpur from which the borrower company had claimed to purchase the machineries. Subsequently, the company had defaulted in payment of EMI which resulted in the account becoming classified as 'NPA'. During the course of enquiry, it was revealed that the alleged company had tendered the fake invoices of M/s Akshar Marketing to the said bank for disbursement of loan amount and subsequently siphoned of the loan amount. Hence, present case was registered and investigation was taken up.

4. The learned counsel for complainant is present through video-conferencing (VC) who states that the entire payment in the present case has been received by respondent no. 2 and a letter bearing no.BR: ZOSARB"ND/2025-26/12 dated 19.05.2025 has been received from the Bank of Baroda regarding full amount of OTS i.e. Rs. 2,28,32,892.58/- towards full and final settlement of Bank's due as per the OTS sanctioned/extended by the bank.

5. Considering the same, the parties are present in person before this Court and have been identified by their counsels and Investigating Officer (IO) concerned.



6. The complainant/respondent no. 2 who is present before this Court states that he has no objection, if the present FIR is quashed.

7. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, this Court is of the opinion that no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

8. Accordingly, FIR bearing no. 43/2020, registered at Police Station EOW, New Delhi, for the commission of offences punishable under Sections 420/467/468/471/120B of IPC and all consequential proceedings emanating therefrom are quashed

9. In view of above, the present petition stands disposed of.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 21, 2025/vc

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