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

+ **CRL.M.C. 1255/2025**

AMARDEEP SINGH

.....Petitioner

Through: Mr. Hirein Sharma and Mr. Anil Dalal, Advocates.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for the State.

Mr. Saurabh Goel, Advocate for R-3 with R-3 in person.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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28.02.2025

CRL.M.A. 5630/2025 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1255/2025

1. This is a petition filed under section 482 of Code of Criminal Procedure, 1973 seeking quashing of the FIR No. 1653/2015, dated 03.11.2015, registered at PS Vasant Vihar (South) under sections 420/34 of IPC, 1860 and all consequential proceedings emanating therefrom qua the petitioner only i.e. Mr. Amardeep Singh.
2. In the present case, the chargesheet has been filed against three persons – (1) Varun Tyagi; (2) Mr. Amardeep Singh/petitioner and (3) Ms. Niharika Nanda.
3. As per the FIR, the facts are that the petitioner along with other members/directors of M/s Tamanna Realtors Pvt. Ltd defrauded the



complainant to the tune of Rs.1.5 crores under the garb of selling a floor in a residential building proposed to be constructed by M/s Tamanna Realtors Pvt. Ltd in the Safdarjung area. The petitioner herein was one of the directors of M/s Tamanna Realtors Pvt. Ltd. Since the building was never constructed nor the money was returned back to the complainant, the FIR 1653/2015 came to be registered.

4. During the proceedings, the complainant/respondent no. 2 has expired and now respondent no. 3, being the wife of respondent no. 2 is the only legal heir of the complainant. The petitioner and respondent no. 3 have arrived at a settlement by executing a Compromise Cum Settlement Agreement on 16.02.2025, whereby the petitioner has agreed to pay a sum of Rs 30 lakhs to the respondent no. 3.
5. The petitioner is present in court and is identified by his counsel, namely, Mr. Anil Dalal. In order to pay Rs 30 lakhs, the petitioner has handed over three demand drafts bearing Nos. 504268, 504269 and 504270 each for a sum of Rs.10 lakh, drawn on ICICI Bank in favour of Mrs. Meena Vora i.e. of respondent No. 3.
6. Respondent No. 3 is also present in court and is identified by her counsel, namely, Mr. Saurabh Goel and Investigating Officer Ramavtar, PS Vasant Vihar. She further states that she has no objection to the FIR being quashed qua the petitioner only.
7. Mr. Chahar, learned APP for the State submits that partial quashing of the FIR is not permissible.
8. The issue of partial quashing is no longer res integra. The courts have time and again held partial quashing of an FIR, limited to the petitioner/accused with whom the complainant has reached a



compromise or settlement, can be permitted. In this regard, the Hon'ble Supreme Court in ***Lovely Salhotra and Another v. State (NCT of Delhi) and Another***, (2018) 12 SCC 391 inter alia held as under:

“3. We have taken into account the facts of the matter in question as it appears to us that no cognizable offence is made out against the appellants herein. The High Court was wrong in holding that the FIR cannot be quashed in part and it ought to have appreciated the fact that the appellants herein cannot be allowed to suffer on the basis of the complaint filed by Respondent 2 herein only on the ground that the investigation against co-accused is still pending. It is pertinent to note that the learned Magistrate has opined that no offence is made out against Co-accused 2, 3, 4 and 6 prima facie. According to us, the FIR in question filed against the appellants herein by Respondent 2 is only an afterthought with the sole intention to pressurise the appellants not to prosecute their criminal complaint filed by them under Section 138 of the Negotiable Instruments Act, 1881.”

9. Further, this court vide order dated 12.04.2022 passed in CRL. M.C. 1741/2021, titled ***Sunil Tomar v. The State of NCT of Delhi & Anr.*** also observed as under:

“Partial quashing or part quashing of FIR only qua the petitioner/ accused with whom the complainant has compromised or settled the matter can be allowed and while quashing, it must be appreciated that the petitioner/accused



cannot be allowed to suffer based on a complaint filed by the respondent, when subsequently, all disputes have been settled between the parties.”

10. A perusal of the aforesaid paras indicates that the FIR can be partially quashed with respect to the accused who has settled the matter with the complainant. While doing so, the courts must ensure that the accused does not suffer due to a complaint initiated by the respondent.
11. In the present case as well, the petitioner has settled all the disputes with respondent no. 3. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure the ends of justice. This 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 against the petitioner.
12. However, on account of the acts of the petitioner, valuable police time and judicial time has been consumed which should have been better utilized, hence, the petitioner must pay some costs. Therefore, the petitioner shall deposit a sum of Rs.20,000/- as costs with the Delhi High Court Legal Services Committee within four weeks from today, which shall be used for the victim compensation scheme.
13. Proof of costs shall be placed on record within 5 weeks from today, failing which file the file shall be put up before the court.
14. Keeping in view the aforesaid judgments and the facts and circumstances of this case, the FIR No. 1653/2015, dated 03.11.2015, registered at PS Vasant Vihar (South) under sections 420/34 of IPC,



1860 and all consequential proceedings emanating therefrom qua the petitioner only i.e. Mr. Amardeep Singh are hereby quashed.

15. The petition stands disposed of accordingly.

JASMEET SINGH, J

FEBRUARY 28, 2025/PB

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