



\$~81

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

+ **W.P.(CRL) 1279/2025**

SH. SANJAY AGGARWAL

.....Petitioner

Through: Mr. Gautam Narayan, Sr. Advocate
with Mr. Diwaker Lohia and Mr.
Anirudh, Advocates along with
Petitioners no. 3, 5 and 6 (through VC).
Petitioners no. 1, 2 and 4 appear in-
person.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma, Advocate
along with SI Manish Kumar, P.S.-
EOW, Delhi
Mr. Dilshad Ahmed and Mr. Aishwary
Sharma, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

%

08.05.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 12094/2025 (Exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(CRL) 1279/2025

3. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') read with Article 226 of the Constitution of India seeks quashing of FIR No. 132/2018, under Sections



420/406/34 of the IPC, registered at P.S. Safdarjung Enclave (Now Economic Offences Wing).

4. Petitioner No. 1 is the ex/suspended Director of M/s Celebration City Projects Pvt. Ltd. (hereinafter referred to as, 'M/s CCPPL'), and Petitioner Nos. 2 to 6 have been named as co-accused persons in the present FIR, which was registered at the instance of respondent No. 2/proprietorship, who is an allottee in the Red Mall project by M/s CCPPL.

5. Learned Senior Counsel appearing on behalf of the petitioners submits that the present FIR had been registered due to certain discord and misunderstanding between the respondent No. 2 and the petitioners. It is pointed out that during the pendency of the investigation in the present FIR, the matter has been settled between the parties and respondent No. 2 has no objection if the FIR is quashed and the same has been confirmed by way of an affidavit dated 04.04.2025 (Annexure-B). It is further submitted that since the matter has been resolved, petitioner No. 1 had duly informed the other co-accused persons named in the FIR, *i.e.*, petitioner Nos. 2 to 6, about the said settlement. Respondent No. 2/complainant has further apprised the Investigating Officer in writing that the matter has been resolved between the parties and he has no objections to the quashing of the present FIR against all the petitioners *vide* letter dated 07.04.2025 (Annexure-C).

6. Petitioners No. 1, 2 and 4 are present in Court and the petitioners No. 3, 5 & 6 as well as Mr. Vinay Khetan, the Authorised Signatory of the respondent no. 2/proprietorship are present through video conferencing and have been duly identified by the Investigating Officer. Mr. Vinay Khetan, the Authorised Signatory of the respondent No. 2/proprietorship submits that the matter has been settled with the petitioners and all the terms of the settlement



deed have been complied with.

7. Learned ASC on instructions of the Investigating Officer submits that the investigation in the present case is pending and chargesheet has not been filed yet. In view of the settlement between the parties, he also has no objections if the present FIR is quashed.

8. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 23.04.2025:

“1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 132/2018 Under Sections 420/406/34 of the Indian Penal Code registered at P.S. SAFDARJUNG ENCLAVE on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 has been amicably settled. Learned counsel for petitioners submits that R-3, 5 and 6 are appearing through virtual mode and stated that the matter has been amicably settled.

3. Vide separate statement recorded in this behalf, P-1, 2 and 4 stated that dispute between petitioners and R-2 has been amicably settled as per the settlement. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. Vide separate statement recorded in this behalf, R-2 stated that dispute between R-2 and petitioners have been amicably settled as per the settlement. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. 4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is



found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 08.05.2025.”

9. In **Gian Singh v. State of Punjab, (2012) 10 SCC 303**, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

10. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 132/2018, under Sections 420/406/34 of the IPC, registered at P.S. Safdarjung Enclave (Now Economic Offences Wing).

11. In the interest of justice, the petition is allowed, and the FIR No. 132/2018, under Sections 420/406/34 of the IPC, registered at P.S. Safdarjung Enclave (Now Economic Offences Wing), is hereby quashed.

12. The petition is allowed and disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 08, 2025/dy/sc

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