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

+ **W.P.(CRL) 1303/2024&CRL.M.A. 12715/2024**

SACHIN CHOUDHARY

.....Petitioner

Through: Mr. Anirudh Bahkru, Mr. Ankit
Banati, Mr. Abhay Agnihotri, Advs.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Amol Sinha, ASC (Crl.) for the
State with Mr. Kshitiz Garg, Mr.
Ashvini Kumar, Mr. Rahul Kochar,
Ms. Chavi Lazarus and Ms. Sankriti
Nimekar, Advocates.
SI Ram Chandra, EOW.
Ms. Neha Jain, Ms. Anjali Sisodia,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

31.01.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India read with Section 482 of Cr.P.C. seeks the following prayers: -

“(a) Set aside and Quash the FIR No. 20 of 2022 pending before Economic Offences Wing, New Delhi under Section 406, 409, 420 and 120B of Indian Penal Code, 1860 as being abuse of process of law along with all proceedings initiated pursuant thereto;
(b) Pass such other or further order or direction or relief, which this Hon’ble Court may deem fit and proper.”

3. The petitioner is the director of IndiaBulls Housing Finance Limited. The allegation with respect to the present petitioner was that IndiaBulls Housing Finance Limited had financed 5 units in the scheme launched by M/s



Ansals Housing Ltd. with respect to their project “*Ansals Amantra*”.

4. By an order of the even date, the aforesaid FIR has been quashed with respect to M/s Ansals Housing Ltd. in **CRL.M.C. 770/2023**, on the basis of the compromise with the home buyers. It is pointed out that in the present case as well, NOCs (No-Objection Certificates) have been issued to the 5 home buyers.

5. Ms. Neha Jain, Advocate for Respondent No. 2 confirms the same. The Investigating Officer also confirms that the matter has been settled with the other home buyers.

6. 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.”

7. In totality of the facts and circumstances and in view of the fact that the main FIR, i.e., FIR No. 20/2022, under Sections 406/420/409/120B of the IPC, registered at P.S. Economic Offences Wing, Mandir Marg, Delhi, *qua* M/s Ansals Housing Ltd. has been quashed on the basis of settlement *vide* an order of the even date in CRL.M.C. 770/2023, the said FIR and all other proceedings emanating therefrom *qua* the present petitioner also stands quashed.



8. The petition is allowed and disposed of.
9. Pending application(s), if any, also stand disposed of.
10. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

JANUARY 31, 2025/bsr

Click here to check corrigendum, if any