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

+ **W.P.(CRL) 52/2022**
PANKAJ CHAUHAN
@ANGAD

.....Petitioner

Through: Mr. Neeraj Malik &
Ms. Sana Malik, Advs.
Petitioner in person

versus

STATE OF NCT

.....Respondent

Through: Mr. Yasir Rauf Ansari,
ASC for the State with Mr.
Mohit Raj Nagar & Mr.
Alok Sharma, Advs.
SI Prashant Malik, PS-
Laxmi Nagar
R2 & R3 in person

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **18.09.2025**

1. The present petition is filed seeking quashing of FIR No. 328/2021 dated 09.06.2021, for offences under Sections 420/34 of the Indian Penal Code, 1860 ('IPC') registered with Police Station Laxmi Nagar, including all consequential proceedings arising therefrom.
2. Chargesheet has been filed in the present case under Sections 420/120B/34 of the IPC.
3. The brief facts of the case are that Respondent No. 2 runs a wholesale medicine shop by the name of *M/s Om Pharmax*. It is alleged that on 12.05.2021, one unknown person made a phone call to the shop of Respondent No.2 and placed an order for 16 bottles of Myhep All tablets, costing ₹1,20,000/- which were to



be billed in the name of *Ayaansh Medicos Shop* and delivered to a place near Karkardooma. It is alleged that when the staff members of the shop of Respondent No. 2 reached the spot to deliver the medicines, one of the accused persons told them that he shall pay them in cash after withdrawing money from the ATM and took them towards the ATM. However, instead of paying the staff members he ran away with another accused who was waiting on a motorcycle.

4. It is further alleged that on 08.06.2021, a similar order of Myhep All tablets was placed with another shop, namely, *Aarav Pharma Capital* by some unknown persons. The said information came into the knowledge of Respondent No. 2 pursuant to which he laid a trap to apprehend the persons who had run away with his medicines costing ₹1,20,000/-. At the delivery location of this order staff members of Respondent No. 2 identified one of the accused and apprehended him. He was later identified as 'Ashwani', who is Respondent No. 3 in the present Petition.

5. Respondent No. 2 took Respondent No.3 along with him to the Police Station Laxmi Nagar and this led to registration of the present FIR.

6. During the course of investigation, the involvement of the Petitioner and Respondent No.4 was disclosed by Respondent No.3.

7. The present petition is filed on the ground that the matter is amicably settled between the petitioner and Respondent No.2 by way of a Memorandum of Understanding dated 02.07.2021, on their own free will, without any fear, force, coercion, or undue influence.

8. In terms of Memorandum of Understanding dated



02.07.2021, Respondent No. 2 has received the entire settlement amount.

9. It is submitted that Respondent No.2 has also settled the matter with Respondent No.3 and Respondent No.4

10. The petitioner and Respondent Nos. 2 and 3 are present in person and have been duly identified by the Investigating Officer.

11. Respondent No. 2/ complainant is present in Court and states that he has received the entire settlement amount. He submits that he is satisfied with the same and does not wish to pursue any proceedings arising out of the present FIR. He further states that he has no objection if the FIR, including all proceedings arising therefrom are quashed.

12. Offence under Section 420 of the IPC is compoundable. The offence under Section 120B of the IPC pertains to criminal conspiracy and is compoundable if the alleged conspiracy is to commit the offence of cheating, which itself is a compoundable offence as held in *Jitender Rana v. State (NCT of Delhi) : 2007 SCC OnLine Del 222*.

13. In view of the fact that the complainant is present in Court and states that he does not wish to pursue any proceedings arising out of the present FIR, this Court is of the opinion that no purpose would be served by relegating the parties to the learned Trial Court for filing an application seeking compounding of offence.

14. However, keeping in mind the fact that chargesheet has been filed in the present case and the State machinery has been put to motion, ends of justice would be served if the petitioner is put to cost.



15. In view of the above, FIR No. 328/2021 and all consequential proceedings arising therefrom are quashed, subject to payment of cost of ₹30,000/- by the petitioner to be deposited with the Delhi Police Martyrs' Fund within a period of eight weeks from date.

16. Let the proof of deposit of cost be submitted with the concerned IO/SHO.

17. The present petition is allowed in the aforesaid terms.

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

AMIT MAHAJAN, J

SEPTEMBER 18, 2025

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