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

+ W.P.(CRL) 2532/2025, CRL.M.A. 23975/2025 & CRL.M.A. 23976/2025

PAWAN KUMAR

.....Petitioner

Through: Mr. Vikram Singh, Adv.
Petitioner in person.

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr. Sanjeev Bhandari, ASC for State.
Mr. Rishabh Sahu, Authorised Representative for
R-2.

SI Mahesh Yadav, PS Vasant Vihar

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER
17.11.2025

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1. The instant petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioner praying for quashing of FIR No.178/2004 registered at Police Station – Vasant Vihar for the offences punishable under Sections 403/ 405/ 415/ 416/ 418/ 420/ 423/ 424/ 425/ 441/ 465/ 464/ 467/ 468/ 470/ 506/ 511/ 34/ 107/ 120A/ 120B the Indian Penal Code, 1860 (hereinafter "IPC").

2. The allegations arise from FIR No. 178/2004, lodged by HDFC Ltd. through its Senior Recovery Officer, Mr. D.K. Gupta. It is alleged that the principal borrower, Ravindra Kumar Sharma (now deceased), had taken a housing loan of ₹1,39,000/- from HDFC, and that the petitioner Pawan Kumar stood as a guarantor. According to the complainant, the accused



persons, including the petitioner were involved in a criminal conspiracy to cheat the company by dishonestly inducing it to part with the loan amount, thereafter defaulting willfully, and engaging in acts amounting to cheating, forgery, use of forged documents, criminal breach of trust, and falsification of records. The FIR invokes a wide range of offences alleging that the borrower, the guarantor (petitioner), and several others intentionally misrepresented facts, created false documents, and caused wrongful loss to HDFC. It is specifically alleged that the accused acted together to obtain the loan fraudulently and later avoided repayment through deceptive and forged means.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner and respondent no.2 have now settled their disputes amicably and are now moving forward towards a peaceful and harmonious future.

4. A copy of settlement order dated 05.07.2017 is on record and has been annexed as Annexure P-4. *Qua* this order, the Mr. Ravindra Kumar Sharma (now deceased) agreed to pay a sum of ₹3,75,000/- to respondent no.2. As per settlement order dated 08.11.2017, which is annexed as Annexure P-5 to the petition, the entire settled amount of ₹3,75,000/- has been paid to respondent no.2 by the Mr. Ravindra Kumar Sharma (now deceased). Accordingly, respondent no.2 has agreed to withdraw the case arising out of FIR No.178/2004 registered at Police Station – Vasant Vihar against the petitioner.

5. It is thus prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of settlement.

6. Heard. Issue notice



7. Learned ASC for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

8. Heard learned counsel for the parties and perused the record.

9. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer, Police Station – Vasant Vihar. Mr. Rishabh Sahu, Authorised Representative for respondent no.2 is also present in the Court and has been identified by the counsel and the Investigating Officer.

10. On a query made by this Court, Mr. Rishabh Sahu, Authorised Representative for Housing Development Finance Corporation Ltd./respondent no.2, submits that he has no objection if the present petition is quashed. They have entered into compromise on their own free will and without any pressure. He also submits that they have received the entire settled amount and accordingly, a no-objection certificate has been issued, and nothing remains pending now.

11. Keeping in view the fact that the matter stands settled between the petitioner and respondent no.2 amicably without any pressure, no fruitful purpose would be served by keeping the matter pending.

12. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

13. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab* (2012) 10 SCC 303**, FIR No.178/2004 registered at Police Station – Vasant Vihar for the offences punishable under



Sections 403/405/415/416/418/420/423/424/425/441/465/464/467/468/470/506/511/34/107/120A/120B of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioner.

14. It is made clear that this Court has not commented upon the merits of the case *qua* the other accused persons.

15. The petition alongwith pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

NOVEMBER 17, 2025/AS/ryp