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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3464/2024**

SHAH ALAM & ORS.

.....Petitioners

Through: None

versus

**THE STATE GOVT. OF NCT OF DELHI THROUGH S.H.O &
ANR.**

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC
(Criminal) with Mr. Abhijeet Kumar,
Adv.
SI Mukesh Chand PS Darya Ganj

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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12.03.2025

1. This petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the FIR No. 18/2015 dated 11.01.2015 registered at Police Station (P.S.) Daryaganj, Delhi for offence under Section 379 of the Indian Penal Code, 1860 and the proceedings arising of the said FIR.
2. Learned ASC submits that State has strong opposition to this quashing petition. He states that Petitioner Nos. 1 to 4 are operating as a syndicate which involves stealing the phones, erasing the IMEI number and re-selling in the grey market.
3. He states that in fact the accused persons Shah Alam i.e. Petitioner No. 1 and Mohammed Abid i.e., Petitioner No. 2 have failed to appear before the Trial Court on the last date of hearing i.e., 18.02.2025 for prosecution evidence, consequently the Trial Court was compelled to issue summons to the said accused persons.



4. He states that detailed status report has been filed on behalf of Respondent opposing this quashing petition. The relevant portion of status report reads as under:

“8. That from the interrogation and evidence collected it was clear that all the 04 accused person use to run a **syndicate** in which Md. Shah Alam and Md. Abid snatched/stole mobile phones and Kuldeep@Lala receives and sell those stolen phone, and Saurabh Katyal use to change the IMEI number of the stolen phones. Thus, it is requested to the Hon'ble Court not to quash the present FIR as accused person are involved in the organized crime.”

(Emphasis Supplied)

5. None appears on behalf of Petitioners and Respondents.

6. In view of the submissions recorded hereinabove, it is apparent that the propensity of the Petitioners to commit offence as a syndicate is fundamentally not a private matter but has a serious impact upon society. The decision of prosecution to pursue trials in these cases is rooted in the essential principle of public interest, which demands that we hold individuals accountable for serious crimes. (Re. **Gian Singh v. State of Punjab and Another**¹)

7. Thus, it is not possible to consider the offence which is the subject matter of FIR No. 18/2015 dated 11.01.2015 registered at Police Station (P.S.) Daryaganj, Delhi for offence under Section 379 of the Indian Penal Code, 1860 as an inter-se grievance between the complainant and the accused.

8. Accordingly, the petition is dismissed.

MANMEET PRITAM SINGH ARORA, J

MARCH 12, 2025/hp/MG

¹ (2012) 10 SCC 303, paragraph 61