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

+ **W.P.(CRL) 3767/2025**

LAXMAN YADAV & ANR.

.....Petitioners

Through: Mr. Gautam Naryan, Sr. Adv with
Mr. Diwaker Lohia, Adv

versus

**STATE GOVT. OF NCT OF DELHI AND
ANR.**

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for State with SI Sanjeev PS
Kalkaji.
Mr. Mani Kaul, Adv for R-2 (through
VC)

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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17.11.2025

CRL.M.A. 33955/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition has been filed seeking quashing of FIR No. 0251/2024 dated 03.07.2024 under Section 420/406/468/471/120B IPC registered at PS Kalkaji, New Delhi.
4. The case set out in the present petition is that one Mr. Nitin Vaid purchased the flat bearing No. 901, 9th Floor, Building No. B-4, Block –B, Aloha AEZ Inspirations, Sector-57, Gurugram from the company in which the petitioners No.1 & 2 were the former directors.



5. A tri-partite agreement was executed between Mr. Nitin Vaid, M/s ADTV Communication Pvt Ltd (earlier known as M/s AEZ Infratech Pvt Ltd) i.e. builder company and the respondent No.2/complainant. Also, on the same day loan agreement was executed between Mr. Nitin Vaid and the respondent No.2/complainant. However, Mr. Nitin Vaid defaulted in repayment of loan, which led to the registration of FIR at the instance of respondent No.2.
6. During pendency of the proceedings, the petitioners have repaid the entire housing loan disbursed by the respondent No.2.
7. Mr. Gautam Narayan, learned Senior Counsel appearing on behalf of the petitioners has buttress his contentions by referring to the 'No-Due Certification' issued by respondent No.2 which is annexed as Annexure-C to the present petition.
8. A perusal of 'No-Due Certificate' shows that the entire loan that was sanctioned by Mr. Nitin Vaid has been fully repaid and the flat in question has also been released from the mortgage.
9. Mr. Mani Kaul, learned counsel appearing on behalf of respondent No.2/complainant affirms the factum of the settlement and submits that the respondent No.2 has no objection in case, the FIR is quashed.
10. On a query posed by the Court, learned ASC appearing on behalf of the State submits that the investigation is still underway and even the chargesheet has not been filed.
11. Having regard to the fact that the dispute is predominantly of civil nature and the parties have arrived at settlement, no useful purpose will be served in continuing the criminal proceedings. Rather, it would be an exercise in futility.



12. At this stage, it will be apt to refer to the decision of the Hon'ble Supreme Court in ***Parbatbhai Aahir vs. State of Gujarat (2017) 9 SCC 641***, wherein it was laid down as under:

“...16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and”...

13. In view of the above, the present petition is allowed. Consequently, the FIR bearing No.0251/2024 alongwith all the criminal proceedings emanating therefrom, is quashed.

14. The petition is disposed of.

VIKAS MAHAJAN, J

NOVEMBER 17, 2025

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