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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9189/2025, CRL.M.A. 38384/2025
MR SURENDER MODI & ORS.Petitioners
Through: Appearance not given.
versus
STATE OF NCT OF DELHI & ANR.Respondents
Through: Mr. Utkarsh, APP for the State with SI
Pritosh Rathee.
Ms. Gurmeet Bindra and Ms. Nimisha
Sharma, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **22.12.2025**

1. A Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioners seeking Quashing of FIR No.24/2017 registered under Sections 419, 420, 468, 471, 120B IPC lodged at Police Station Economic Offences Wing (South), New Delhi along with the subsequent proceedings emanating therefrom.
2. The brief facts are that Petitioner No.1 is a businessman by profession and is engaged in the business of purchasing, trading and development of real estate. The Petitioner No.2 is the son of Petitioner No.1 and is engaged in the same business as of his father. The Petitioner No.3 M/s Niranjana PropTech Pvt. Ltd. is a Company incorporated under the provisions of Companies Act, 1956 which is owned and operated by Petitioner No.1 and 2 being its shareholders and Directors. The Respondent No.2 Empire Housing Projects Limited is a Company registered under the Companies Act. The Respondent No.2 had entered into an Agreement to Sell dated 20.09.2011 for purchase of land measuring 5.11 acres approx in village Bijwasan with Petitioner No.3



through Petitioner No.1 for a sum of Rs.5 Crores, pursuant to which part consideration of Rs.3 Crores was paid vide additional Agreement dated 10.09.2014 and Supplementary Agreement dated 12.10.2015. the Petitioner No.1 failed to cause the Sale Deed qua the said land to be executed being the Director of the Petitioner No.3 Company. The parties initiated various civil and criminal proceedings against each other. Accordingly, a case vide FIR No.24/2017 under Sections 419, 420, 468, 471, 120B IPC was lodged by Respondent No.2 against the Petitioners at Police Station Economic Offences Wing (South), New Delhi.

3. It is submitted that both the petitioners and respondent No. 2 have already sorted out their all differences by mutual consent vide Settlement Agreement dated 13.09.2019 on the basis of which a consent Award dated 09.10.2019 was passed by learned Sole Arbitrator, whereby it was agreed that the Respondent No.2 would be paid a sum of Rs.2.5 Crores. Out of the amount of Rs.2.6 Crores, Rs.1,65,000/- were paid to the Respondent No.2 Company, however, Rs.85,00,000/- could not be paid. For the purpose of amicable closure of all the disputes inter-se the parties, they entered into a further Settlement Agreement dated 05.06.2023 as per which a sum of Rs.1,50,00,000/- would be paid as the total balance settlement amount to Respondent No.2. After signing of the Settlement Agreement Rs.1,43,50,000/- has been paid in favour of Respondent No.1 were handed over to Respondent No.2 entity after deduction of TDS. In view of the Settlement dated 05.06.2023 the parties have left no grudge or grievance against each other in any manner whatsoever. Therefore, the Petition be quashed.

4. The parties are present in the Court and have been identified by their



respective counsels. The A/R of the Respondent No.2 Company is present in the Court and submits that the matter stands settled with the Petitioners. The Respondents have no objection if the FIR is quashed against the petitioners on account of the Settlement already arrived at between the parties.

5. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 24/2017 registered at Police Station Economic Offences Wing (South), New Delhi, for offences punishable under Sections 419, 420, 468, 471, 120B IPC with all the subsequent proceedings and the charge sheet is hereby quashed *qua* all the Petitioners.

6. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J.

DECEMBER 22, 2025/VA