



2025:DHC:11936



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% *Date of Decision: December 24th, 2025*

+ **W.P.(CRL) 4251/2025**
M/S GABRANI INFRASTRUCTURE
PVT LTD

.....Petitioner

Through: Mr. Rishi Sood (through
VC) & Mr. Prafull Singh
Chandel, Advs.
Authorised representative
of the petitioner in person

versus

STATE OF NCT OF DELHI
& ORS.

.....Respondents

Through: Mr. Sanjay Lao, SC for
the State
Inspector Awadhesh
Kumar Singh & Inspector
Anand, PS- EOW
Mr. Anuroop Chakravarti
& Ms. Anushka Baruah,
Advs. for R2 & R3
Mr. Anand M. Mishra,
Adv. for R4
Mr. Siddharth Batra, Ms.
Shivani Chawla, Mr.
Chinmay Dubey & Ms.
Preetika Shukla, Advs. for
R7
R2, R3 & R4 (through
VC)
R5, R6 & AR of R7 in
person

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. (Oral)

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Signed By: DEEPA ANSHU
Signing Date: 27.12.2025
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1. The present petition is filed seeking quashing of FIR No.
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256/2016 dated 27.02.2016, registered at Police Station Saket, for offences under Sections 420/406/120B/34 of the Indian Penal Code, 1860 ('IPC'), including all consequential proceedings arising therefrom.

2. The FIR was registered on a complaint given by Mr. Amul Gabrani, who is the Director and duly authorised representative of the petitioner company.

3. The brief facts of the case are that Respondent No. 7 company is involved in the business of construction and real estate development, and Respondent Nos. 2 to 6 were the Directors in the said company during the relevant period. It is alleged that the accused persons fraudulently and dishonestly induced the petitioner company into paying a sum of ₹3,84,52,150/- as consideration for an apartment in their project known as '*Burgundy*' in '*Unitech Golf and Country Club*'. It is further alleged that despite the fact that the petitioner had paid the entire sale consideration, however, construction remained incomplete and funds were allegedly diverted, which resulted in wrongful loss to the complainant. This led to registration of the above-mentioned FIR.

4. Chargesheet has been filed in the present case against Respondent Nos. 2 to 7 for the offences under Sections 406/420/120B of the IPC.

5. The present petition has been filed on the ground that the parties have amicably settled all their disputes, out of their own free will, without any coercion, pressure, undue influence, force, misrepresentation or mistake.

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6. Mr. Amul Gibrani (authorised representative of the petitioner company) and Respondent Nos. 5 & 6 as well as Authorised representative of Respondent No. 7 are present in person in Court and Respondent Nos. 2, 3 and 4 have joined the proceedings through video conferencing. The parties have been duly identified by the Investigating Officer.

7. On being asked, Mr. Amul Gibrani states that all the disputes between the parties have been settled. He submits that pursuant to the settlement, the possession of the subject properties has been received and the petitioner company does not wish to pursue any proceedings arising out of the present FIR. He further submits that the petitioner company has no objection if the FIR and consequential proceedings are quashed.

8. Offences under Sections 420/406 of the IPC are compoundable in nature.

9. Pertinently, the present petition has been preferred by the complainant instead of the accused persons. Just as an accused, the complainant is also subjected to harassment by continuation of proceedings. While it may not be permissible for the complainant to move a petition for quashing of an FIR where the offence is of a serious nature, in the opinion of this Court, in a case such as this one which involves compoundable offences, the complainant cannot be denied the right to seek culmination of the proceedings after settling the matter.

10. This Court is of the opinion that no useful purpose would be served by relegating the parties to the learned Trial Court for filing an application to compound the offences.

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11. Keeping in view the nature of dispute and that the parties have amicably entered into a settlement, this Court feels that continuation of the proceedings would amount to abuse of the process of Court.

12. However, keeping in mind the fact that the State machinery has been put to motion, ends of justice would be served if the accused respondents are put to cost.

13. In view of the above, FIR No. 256/2016 and all consequential proceedings arising therefrom are quashed, subject to payment of total cost of ₹1,00,000/- by Respondent Nos. 2 to 7, which is to be deposited with the Delhi Police Welfare Society, within a period of eight weeks.

14. Let the proof of deposit of cost be submitted to the concerned SHO.

15. The present petition is allowed in aforesaid terms.

AMIT MAHAJAN, J

DECEMBER 24, 2025

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