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

\# **CNR No. DLHC010531592025**

\+ CRL.M.C. 5227/2025 & CRL.M.A. 22602/2025

ASHOK WADHWA .....Petitioner

Through: Mr. Deepak Verma, Adv.

versus

STATE OF NCT OF DELHI & ANR. .....Respondents

Through: Ms. Richa Dhawan, APP for the State with SI Vipin Bhati, P.S. Amar Colony

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 28.10.2026

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ['BNSS'] seeking to quash the FIR No. 131/2023 dated 15.03.2023 registered under Sections 354 and 509 of the Indian Penal Code, 1860, ['IPC'] registered at Police Station ['P.S.'] Amar Colony, South East, Delhi, along with all the subsequent proceedings pending before the Ld. MM, South East, Saket, New Delhi ['trial Court'].

2. Learned counsel for the petitioner states that the underlying dispute between the parties was civil in nature. He submits that the Petitioner is the owner of property bearing No. 4, Vikram Vihar Extension, Gurudwara Road, Lajpat Nagar-IV, New Delhi-110024 ['subject property'].

3. He states that the basement of the subject property was let out to a law

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firm M/s Seva Advisory LLP, and the Respondent No.2[i.e., Complainant], is a partner/member of the said firm. She was operating her law practice under the name 'SEVA LAW OFFICES'.

4. He states that the subject FIR was registered at the instance of the Respondent No. 2 based on an incident alleged to have occurred at the premises on 15.03.2023, involving an altercation between the parties arising out of access to the premises.

5. He states that the Petitioner and Respondent No.2 have resolved the disputes vide MoU dated 15.09.2023.

6. He states that the Petitioner has also settled the matter with the tenant M/s Seva Advisory LLP. He has handed over a copy of the MoU dated 18.09.2023, which was executed between the Petitioner herein and the said tenant M/s Seva Advisory LLP. The said MoU at clause (1) records that an amount of Rs. 3,50,000/- by a Demand Draft was in fact paid by this Petitioner/landlord to the tenant M/s Seva Advisory LLP for vacating the basement premises as on 15.10.2023. He states on instructions from the Petitioner that the said Demand Draft has been encashed. He states that premises has since been vacated by the law firm.

7. He states that the said MoU dated 18.09.2023 cross refers to the MoU dated 15.09.2023 executed between the Petitioner herein and Respondent No. 2 in the last recital at internal page 2.

8. He states that MoU dated 15.09.2023 and MoU dated 18.09.2023 are connected and simultaneous as part of the same transaction.

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9. He submits that since the Petitioner has performed his obligations under the MoU dated 18.09.2023, the present proceedings may also be allowed and the FIR be quashed.

10. Learned APP submits on instructions from the Investigation Officer ['I.O.'] that the I.O. has duly informed the Respondent No. 2 about the listing of the matter today; however, she has expressed her inability to attend the proceedings.

11. She states that even at the pass-over, the I.O. tried to contact Respondent No. 2 and shared with her the video conference ['V.C.'] link; for joining the proceedings, however, she is not responding to the messages of the I.O.

12. Learned counsel for the Petitioner submits that for the last many dates, Respondent No. 2 has not appeared before the trial Court. He submits that on one date, she had appeared before the trial Court where she confirmed that she has settled this matter amicably. He submits that this is recorded in the order sheet. He states that the Respondent No. 2 has stopped appearing before the trial Court and the matter is being simply adjourned.

13. Learned APP submits that the State has no objection to the relief sought in the present petition *qua* quashing of the subject FIR as it is essentially a civil dispute.

14. This Court has heard the counsels for the parties and perused the record.

15. Petitioner has submitted that the Respondent No.2 has already

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submitted before the trial Court that she has settled this matter amicably and this fact is recorded in one of the orders of the trial Court. The IO has also informed Respondent No. 2 about the listing of the matter today, however she has elected not to attend the proceedings today.

16. This Court has perused the MoU dated 15.09.2023 executed between Petitioner and Respondent No. 2. The said MoU has been notarized on 18.09.2023. This MoU expressly cross refers to the MoU proposed to be signed between M/s Seva Advisory LLP and the Petitioner herein. This MoU acknowledges that parties i.e., Petitioner, Respondent No. 2 and M/s Seva Advisory LLP have entered into a complete settlement for resolution of the disputes arising from OMP (I) (COMM) 05/2023 filed in Saket, District Court and the present FIR. The Petitioner has handed over the second MoU dated 18.09.2023 executed between him and M/s Seva Advisory LLP. Both the MoUs have common witnesses and Petitioner has admittedly performed his obligations under the second MoU dated 18.09.2023.

17. The Petitioner was a landlord has paid a sum of Rs. 3.50 lakhs to M/s Seva Advisory LLP and received the vacant possession of the premises.

18. The Respondent No. 2 in the MoU dated 15.09.2023 at clause (2) has already expressly agreed to cooperate in closing of the proceedings arising from the subject FIR. Respondent No. 2 is herself a trained lawyer and has executed the document after understanding its contents.

19. Having perused the contents of the MoU dated 15.09.2023 and MoU dated 18.09.2023 is satisfied that the dispute between the parties arose out of the relationship of landlord and tenant and is therefore a civil dispute. The

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said disputes have been amicably resolved, parties have amicably parted ways and closure of this FIR will promote the said harmony. [Re: **Gian Singh v. State of Punjab & Anr.**[1]and **Narinder Singh & Ors. v. State of Punjab & Anr**[2]].

20. Having regard to the totality of circumstances, and in view of the legal principles laid down by the Supreme Court, this Court finds the present case to be an appropriate one for exercise of jurisdiction under Section 482 of the Cr.P.C. to secure the ends of justice and prevent wastage of judicial time of the trial Court, where Respondent No. 2 has stopped appearing after the execution of the MoU.

21. Accordingly, the petition is allowed, FIR No. 131/2023 dated 15.03.2023 registered at P.S. Amar Colony, South East, Delhi, along with all the subsequent proceedings pending before the Ld. MM, South East, Saket, New Delhi are hereby quashed.

22. The Petitioner and the IO are directed to bring this order from the record of the trial Court on the next of hearing for information and compliance.

23. The Court Master is directed to take the copy of the second MoU dated 18.09.2023 on record.

24. The pending application is disposed of.

25. The digitally signed copy of this order, duly uploaded on the official

[1] (2012) 10 SCC 303
[2] (2014) 6 SCC 466

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website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order shall be insisted upon by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 28, 2026/mt/AJ

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