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

\+ CRL.M.C. 7644/2025

RAHUL SHARMA .....Petitioner

Through: Mr. N. Hariharan, Sr. Advocate with Mr. Sanjay Abbot, Ms. Punya Rekha Angara, Ms. Sanjana Mishra, Mr. Vasundhra N., Mr. Aman Akhtar, Ms. Sana Singh, Ms. Vasubdgara Raj Ttafi, Mr. Arjan Singh Mandala and Ms. Nehal Karotiya, Advocates

versus

CENTRAL BUREAU OF INVESTIGATION & ANR. .....Respondents

Through: Ms. Devika Mohan, Mr. Pranav Jain, Mr. Karan Sethi, Mr. Dhruv Negi, Mr. Tanish Manuja, Ms. Hepsiba Bobin, Ms. Anaida Khan, Advocates for R-2

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

O R D E R

% 21.01.2026

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for quashing of the Chargesheet against the Petitioner-Rahul Sharma in RC. No. 2172018A0004 dated 05.05.2018 under Sections 120B/384 IPC and Section 8 Prevention of Corruption Act.

2. It is submitted in the Petition that the RC was filed against Upendra Rai as well as the Petitioner, who was an employee of Upendra Rai. It is submitted that the Complainant/Respondent No. 2 *vide* Letter dated 16.11.2019, had informed the CBI that they were not inclined to pursue the

Complaint and requested for no further action to be taken on their Complaint. In view of the Letter dated 16.11.2019, it is evident that no dispute exists between the parties and the matter has been amicably settled.

3. The No Objection Affidavit has also been filed by the Respondent No.2, which is annexed with the present Petition. No offence under Section 384 IPC is made out as the Consultancy Agreement executed between the parties was out of their free will. In relation to consultancy services availed by the Complainant, Respondent No. 2, there is no offence made out under Section 8 PC Act, as there was no public servant ever identified or named in the FIR or at the conclusion of investigation in the Chargesheet.

4. The dispute emanates from commercial transactions between private parties, which has no criminality. The dispute is predominantly civil in nature. There is no misuse of public funds or loss to the public exchequer. The possibility of conviction is remote and weak.

5. Considering that the Complainant is not inclined to pursue the Complaint and that all the disputes have been amicably resolved *inter se* the parties, the present FIR *vis-à-vis* the Petitioner be quashed.

6. ***Learned Counsel for CBI*** has opposed the quashing on the ground that Section 8 PC Act has been added in the Chargesheet and it is not required that a public officer be accused in a Chargesheet, to invoke Section 8 PC Act.

7. However, the allegations in the FIR are that some officers in the Income Tax Department had been approached for settling the income tax claims. The allegations in the Chargesheet are absolutely vague. There is no specific involvement of who, when, where approached, whom, which has been specified in the Chargesheet. The Respondent No. 2 has no objection to

the quashing of the Chargesheet.

8. Pertinently, soon after the registration of FIR, the Complainant has conveyed *vide* Letter dated 16.11.2019 that it was not inclined to pursue the matter.

9. Considering the nature of allegations and that the main aggrieved party, i.e. the Complainant, has no objection to the quashing of the Chargesheet *vis-à-vis* the Petitioner and also considering that the quashing of main accused Upendra Rai has already been allowed in CRL.M.C. 7294/2025 against which till date no SLP has been filed, the present Chargesheet against the Petitioner is hereby, quashed.

NEENA BANSAL KRISHNA, J

JANUARY 21, 2026

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