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

% ***Date of Decision:19th November, 2026***

\# **CNR No. DLHC010403632022**

\+ CRL.M.C. 5565/2022, CRL.M.A. 22054/2022 & CRL.M.A. 2868/2025

VIKASH SHEKHAR .....Petitioner

Through: Mr. Trideep Pais, Sr. Adv. with Ms. Sakshi Jain, Ms. Saloni Ambastha, Mr. S. Abhinaya and Mr. Chander Kamal, Advs.
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versus

STATE OF HARYANA AND OTHERS .....Respondents

Through: Mr. Ajay Vikram Singh, APP for the State
Mob: 9868632122
Ms. Noopur Singhal, Adv. for R-1, with Mr. Naveen Dahiya, PSI, PS Udyog Vihar, Gurugram.
Mob: 9312765888
Email: noopur4@gmail.com
Mr. Vinod Kumar and Mr. Shashank Sharma, Advs. for R-2, along with R-2 in person.
Mob: 9811859265
Mr. Vinit Trehan, Mr. Azad Khokher, Ms. Kritika Tyagi, and Ms. Diti Jain, Advs.
Mob: 8700911764
Email: diti@adyantlegal.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

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MINI PUSHKARNA, J. *(ORAL):*

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1974 ("CrPC"), seeking quashing of the First Information Report ("FIR"), being *FIR No. 216/2019,* dated 04th June, 2019, under Sections 385/389/467/468/469/471/473/420/506/120B of the Indian Penal Code, 1860 ("IPC"), registered at Police Station ("PS") Udyog Vihar, Gurugram, Haryana, along with all consequential proceedings emanating therefrom, including the Criminal Case bearing No. *6504/2022,* pending before the Court of the Metropolitan Magistrate ("MM"), Patiala House Courts, New Delhi, on the ground of settlement between the parties.

2. The relevant facts for the adjudication of the captioned petition, culled out from the documents on record, are as follows:

2.1. The present FIR came to be registered, pursuant to a written complaint to the Station House Officer ("SHO"), filed on behalf of one Ashok Sehrawat, Chief General Manager, Indiabulls, alleging forgery, extortion, criminal intimidation and threats by the petitioner and his associates.

2.2. During the pendency of proceedings, the parties arrived at an amicable settlement of all their disputes, and respondent no. 2 has agreed not to pursue the proceedings anymore. Moreover, respondent no. 2 had also filed an application before the Trial Court stating that he does not wish to pursue the complaint any further.

2.3. In view thereof, the parties seek quashing of the present FIR.

3. Learned Senior Counsel appearing for the petitioner submits that though the present FIR was lodged in Gurugram, Haryana, however, the case was subsequently transferred to Delhi, pursuant to the order dated 25th February, 2021, passed by the Supreme Court, in *Transfer Petition (Crl.) No. 374/202.*

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4. Learned Senior Counsel appearing for the petitioner draws the attention of this Court to the supporting Affidavit filed on behalf of Mr. Lalit Kumar Tiwari, Authorised Representative ("AR") of the complainant company, wherein, he has stated as follows:

"xxx xxx xxx

1. I say that I am the Authorised Representative of Sammaan Capital formerly known as Indiabulls Housing Finance Limited and I have been authorised on behalf of the Company vide Board Resolution dated 17/12/2024 and am well conversant with the facts and circumstances of the case and as such competent to depose this affidavit. That the Copy of the Board Resolution dated 17/01/2025 is annexed herewith as ANNEXURE-A.

2. I say that I am supporting the accompanying Application being filed on behalf of the Petitioner.

I say that I reaffirm having settled all my disputes/claims/grievances with the Petitioner and therefore do not want to pursue the present case. I have "NO OBJECTIONS" if the FIR bearing No. 216/2019, P.S.-Udyog Vihar, Gurugram, Haryana and the proceedings emanating out of the said FIR is quashed by this Hon'ble court.

xxx xxx xxx"

5. He further draws the attention of this Court to the earlier Affidavit filed on behalf of the complainant, through the then AR, i.e., Mr. Ashok Sehrawat, which reads as under:

"xxx xxx xxx

3. That the applicant is the authorized representative of the Indiabulls Housing Finance Ltd. ("IHFL") in the aforementioned matter.
4. That FIR No. 216 of 2019 was filed by me on behalf of IHFL.
5. That in view of mis-assessment of facts, FIR No. 216 of 2019 had been filed by me. I do not hereby wish to pursue the said complaint/ any further.

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xxx xxx xxx"

6. He further draws the attention of this Court to the Closure Report dated 28th August, 2023, filed on behalf of the Police *qua* the other co-accused, wherein, it has been stated as follows:

"xxx xxx xxx

> From the evidence revealed by the investigation conducted so far and the facts mentioned above, no evidence has emerged regarding Anirudh Bahal's involvement in the above mentioned case whereas the names of Neil Terrence Haslam and Kislay Panday have come up in the statements of the witnesses and in the confessional statement of accused Rammani Pandey and Vikas Shekhar who have been arrested in the case, who have been accused of being involved in a conspiracy to extort money by filing petitions in various government departments and Hon'ble courts through fake Whistle Blowers by providing fake data of various NBFC companies and then withdrawing the said petition/complaint and have been accused of blackmailing and extorting Rs 50 crore from DHFL company by filing a complaint in the name of Vikash Shekhar, and then withdrawing the complaint, out of which Rs 35 crore was received by RamMani Panday and Kislay Panday, and Rs 15 crore was received by Neil Terrance Haslam, as confessed by accused RamMani Panday in his statement. But during the course of investigation, no such evidence or witness came forward which could confirm these allegations, nor has any victim come forward in this regard. In such a situation, there is lack of challanable evidence against the above mentioned Neil Terrence Haslam and Kislay Panday. Hon'ble High Court, Punjab & Haryana, Chandigarh in CRM-M-301-2013 OM Tarsem Singh And Another vs State
>
> of Punjab And Another dated 16/09/2019 have passed the order and held that "Sub-Section 5 of Section 173 makes it obligatory for the police officer to forward to the Magistrate alongwith the report all documents or relevant extracts thereof on which the prosecution proposes to rely other than those already sent to the Magistrate during investigation. Statements recorded under Section 161 of all the persons whom the prosecution proposes to examine as its witnesses must also be attached with the

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report. Sub-Section 6 further obliges the police officer to indicate that part of the statements not relevant to the subject matter of the proceedings or that its disclosure to the accused is not essential in the interests of justice or is inexpedient in the public interest by stating his reasons for making such requests. Obviously from the reading of Section 173 it is clear that the police report on completion of investigation has to be comprehensive and must disclose the process of reasoning which resulted into forming an opinion that accused being sent for trial has committed an offence."

In such a situation, there is lack of challanable evidence against the above mentioned Neil Terrence Haslam and Kislay Panday and the allegations cannot be proved true on the basis of mere confessional statements and statements of witnesses without any scientific/physical/verifiable evidence. The case has been under investigation for more than 4 years. In the case, challan has been issued against the accused Vikas Shekhar and Rammani Pandey in the Honorable Court on 11.09.2019. On the basis of the facts mentioned above, chargeable evidence has not emerged against Anirudh Bahl, Neil Terrence Haslam and Kislay Panday, who were named in the case during the investigation. Now the investigation into the case is being closed. Therefore, the final report is being prepared as per the 173(8) of Code of Criminal Procedure and is being sent to the Hon'ble Court.

xxx xxx xxx"

7. By referring to the aforesaid, learned Senior Counsel appearing for the petitioner submits that during the course of investigation, no evidence has been found against the co-accused.

8. He further submits that the aforesaid Closure Report clearly shows that no witness has come forward, and there is no other complainant.

9. He, thus, submits that on a fair reading of the Closure Report dated 28th August, 2023, it is clear that there is really no evidence against the petitioner herein also.

10. Learned counsel appearing for the complainant, i.e., respondent no. 2, supports the case of the petitioner and submits that the complainant does not wish to pursue the present matter any further.

11. This Court is informed that there were more than 15 (fifteen) cross

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cases filed by the parties against each other, and all the other cases have been settled except the present case, which is pending.

12. Learned Additional Public Prosecutor ("APP") for the State submits that in view of the submissions made before this Court, the State has no serious objections to the present petition.

13. Learned counsel appearing for the State of Haryana submits that there are serious allegations in the present FIR, which pertain to the offences of forgery, extortion and criminal intimidation.

14. She, thus, submits that the present case ought to continue.

15. Having heard the learned counsels appearing for the parties, this Court notes that the complainant, himself, does not wish to pursue the present matter any further.

16. Further, as per the Affidavits filed on behalf of the complainant, it is clear that it is the categorical stand of the complainant that there was some misconception of certain facts, on account of which, the complaint had been filed against the petitioner.

17. Further, this Court also takes note of the Closure Report dated 28th August, 2023, filed *qua* the other co-accused, wherein, it is categorically stated that no witnesses or other complainants have come forward to give any evidence.

18. The Supreme Court in the case of ***Gian Singh Versus State of Punjab and Another, (2012) 10 SCC 303***, has held as follows:

> *"xxx xxx xxx*
>
> *58. Where the High Court quashes a criminal proceeding having regard to the fact that the* ***dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being***

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the ultimate guiding factor. *No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute,* ***where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated***. *The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.*

xxx xxx xxx"

(Emphasis Supplied)

19. Further, in ***Parbatbhai Aahir Alias Parbatbhai Bhimsinhbhai Karmur and Others Versus State of Gujarat and Another, (2017) 9 SCC 641***, the Supreme Court has summarised the following principles for quashing of criminal proceedings:

"xxx xxx xxx

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:
16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only

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recognises and preserves powers which inhere in the High Court.

16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. ***While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.***

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.

16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.

16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.

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

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possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and xxx xxx xxx"

(Emphasis Supplied)

20. It is to be noted that this Court in the case of ***Deepak Kumar Versus State (Govt. of NCT) of Delhi and Another., 2024 SCC OnLine Del 1305***, while quashing an FIR on the basis of settlement between the parties held as follows:

"xxx xxx xxx

6. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

xxx xxx xxx"

(Emphasis Supplied)

21. Accordingly, no useful purpose would be served in allowing the trial to continue any further.

22. This Court also takes note of the fact that the petitioner has already been in prison for approximately 11 (eleven) months.

23. Considering the facts and circumstances of the present case, and the submissions made before this Court, this Court finds no impediment in allowing the present petition.

24. Accordingly, *FIR No. 216/2019,* dated 04th June, 2019, under Sections 385/389/467/468/469/471/473/420/506/120B of the IPC, registered at PS Udyog Vihar, Gurugram, Haryana, along with all consequential proceedings emanating therefrom, including the Criminal Case bearing No. *6504/2022,*

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pending before the Court of the MM, Patiala House Courts, New Delhi, is hereby quashed.

25. The present petition is allowed and accordingly disposed of, along with the pending applications.

MINI PUSHKARNA, J

NOVEMBER 19, 2026/SK

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