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

+ BAIL APPLN. 1422/2022 & CRL.M.A. 8897/2022

HARISH CHANDRA AGRAWAL ..... Petitioner

Through: Mr. Mohammad Mohsin Raja, Mr.  
Prinkesh Verma, Advs.

versus

STATE OF NCT DELHI ..... Respondent

Through: Mr. Amit Chadha, APP for State,  
Insp. Shankar Lal, SI Rajesh Kumar,  
New Delhi District

+ CRL.M.C. 2710/2022

HARISH CHANDRA AGRAWAL ..... Petitioner

Through: Mr. Mohammad Mohsin Raja, Mr.  
Prinkesh Verma, Advs.

versus

GOVT. OF NCT OF DELHI AND ANR. .... Respondent

Through: Mr. Hirein Sharma, APP for State,  
Insp. Shankar Lal, SI Rajesh Kumar  
Mr. Amit Khemka, Mr. Sunil Kumar,  
Mr. Rishi Sehgal, Advs. for R-2 and  
R-2 in person

**CORAM:**  
**HON'BLE MR. JUSTICE JASMEET SINGH**

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**ORDER**  
**31.05.2022**

**CRL.M.A. 11184/2022**

Exemption allowed, subject to al just exceptions.

Application stands disposed of.

**CRL.M.C. 2710/2022**

This is a petition seeking quashing of FIR No. 12/2022 dated 17.01.2022 registered at P.S. Barakhamba Road u/s 406/420 IPC and all consequential proceedings arising therefrom.

As per the FIR, Mr. Harish Chander Aggarwal is accused by the complainant/ Respondent no. 2 of cheating, fraud and misappropriation of money to the tune of Rs. 90 lacs under an agreement to give a land measuring 666 sq. yards under the scheme launched by Trishul residency Pvt. Ltd. Sector 49, Faridabad, Haryana

The quashing petition is based upon a settlement compromise deed dated 20.05.2022, wherein the petitioner has agreed and undertaken to pay to respondent No. 2, a sum of Rs. 2,00,00,000/- in full and final settlement of all her claims.

The petitioner has handed over Post-dated cheques of Rs. 2,00,00,000/- starting from 28.05.2022 and ending on 07.01.2024.

The petitioner, who is present in Court, submits that all cheques on presentation will be honoured. The petitioner is identified by Mr. Prinkesh Verma, Advocate. Respondent No. 2 is also present in Court and is identified by Mr. Amit Khemka, Advocate.

The parties submit that the compromise has been effected out of their own free will without any undue pressure, threat, or coercion.

The petitioner submits that on the basis of the compromise and on the basis of the undertaking, the cheques on presentation will be honoured.

Since the dispute is contested to be in the nature of a civil dispute, no charge sheet has been filed in the matter yet and considering that the complainant is an old lady who wishes to put quietus to the present matter, the court thinks this is a fit case for quashing. For the above stated reasons, FIR No. 12/2022 dated 17.01.2022 registered at P.S. Barakhamba Road u/s 406/420 IPC and all consequential proceedings arising therefrom is hereby quashed subject to the following conditions and its compliance:

- a) The petitioner and the respondent will plant 200 trees each (before the monsoon season sets in), in consultation with the Investigating Officer, who shall get in touch with the Horticulture Department of the concerned MCD and indicate the area, where the trees are to be planted.
- b) Each tree shall have a nursery life of 3 years and the petitioner and the respondent will look after their respective allotted trees for 5 years. The learned APP, for the State shall be informed with regard to each and every step in this regard. The 6 monthly status report along with photograph shall be filed. The above planting of trees shall be completed within a period of 6 weeks from today.
- c) The I.O. concerned shall be in touch with all the petitioners to do the needful.
- d) After initial planting of trees, the I.O. will file a compliance report. The petitioner and respondent will file a status report every 6 months giving the status of trees planted along with photographs.

List for compliance on 23.08.2022.

**BAIL APPLN. 1422/2022**

In view of the order passed in CRL.M.C. 2710/2022 dated 31.05.2022 the learned counsel does not press this petition.

Dismissed as withdrawn.

**JASMEET SINGH, J**

**MAY 31, 2022/dm**

*[Click here to check corrigendum, if any](#)*