



2026:DHC:7927



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

Reserved on: 07.09.2026
Date of Decision: 17.09.2026
Uploaded on : 17.09.2026

CNR No. DLHC010348272023

+ **W.P.(CRL) 2519/2023 & CRL.M.A. 23913/2023, CRL.M.A. 30958/2023, CRL.M.A. 30963/2023, CRL.M.A. 3618/2024, CRL.M.A. 5858/2024, CRL.M.A. 12760/2026, CRL.M.A. 17536/2026, CRL.M.A. 17537/2026**

RAJ KUMAR CHAWLA & ANR.

.....Petitioners

Through: Mr Anurag Ahluwalia, Sr. Adv. with Ms. Hemlata Rawat, Mr. Abhay Singh, Mr. Deepanshu Gaba, Mr. Aryan Mishra, Mr. Raj Kumar Chawla and Mr. Sanchit Chawla, Advs. Mr. Yasir Rauf Ansari, ASC Ms. Babli Kala, Mr. Sujeet Kumar Singh and Ms. Kranthi, Advs.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. N. Hariharan, Sr. Adv. along with Mr. Siddharth Yadav, Mr Rahul , Mr. Ayush Kr Singh, Ms. Kashish Ahuja, Mr. Khuranshu Nagpal, Ms. Punya Rekha Angara, Mr. Amartya, Mr. Arjan Mandla, Mr. Aman Akhtar, Ms. Vasundhara Raj Tyagi, Mr. Apoorv Kumar and Mr. Shubham Sanskritya, Advs. Mr. Yasir Rauf Ansari, ASC



CORAM:
HON'BLE MS. JUSTICE MADHU JAIN

JUDGMENT

MADHU JAIN. J

1. The present petition has been instituted under Articles 226 and 227 of the Constitution of India, read with Section 482 of the Code of Criminal Procedure, 1973 [hereinafter referred to as 'CrPC'], seeking quashing of ***FIR No. 414/2023*** dated 06.07.2023, registered at Police Station Neb Sarai, South District, Delhi, under Sections 420, 448 read with 34 of the Indian Penal Code, 1860 [hereinafter referred to as 'IPC'], and all proceedings emanating therefrom. Petitioner No. 1, Raj Kumar Chawla, is the father of petitioner No. 2, Sanchit Chawla in the present petition.

FACTS

2. The dispute in the present case arises from a proposed transaction concerning property bearing No. 117-A, Central Avenue, Sainik Farms, New Delhi, situated in *Khasra* No. 298, Village Khanpur. The property is described in the title documents and the Status Report as admeasuring approximately 1,320 square yards, though the petitioners' initial pleadings refer to an area of 1,500 square yards.

3. As per the Status Report, the property originally formed part of the estate of one, Captain Mehar Singh. By a registered Will dated 12.07.2005, Captain Mehar Singh is stated to have bequeathed his estate to his daughter, Rubinder Kaur. Following her death in June 2022, a Will dated 23.12.2020, stated to have been executed by her in favour of Gautam Malhotra, was registered posthumously on 24.08.2022. The validity and effect of this testamentary document subsequently became the subject matter of separate probate proceedings.



4. In February 2023, the petitioners were introduced to respondent No. 2, Anuj Kumar Sharma, through Prem Kumar Jha. Respondent No. 2 describes himself as a property dealer authorised to identify prospective tenants or purchasers for the property on behalf of the person claiming ownership of the said property. The petitioners, however, allege that the transaction was negotiated through respondent No. 2, Rahul Miller Chaudhary and Prakash Jarwal, and that Prakash Jarwal had represented himself to be the owner of the said property.

5. The accounts of the parties differ as to the nature of the initial arrangement. According to respondent No. 2, petitioner No. 1 initially intended to take the property on rent and subsequently expressed his willingness to purchase it. The petitioners however maintain, that from the outset, the negotiations were for the purposes of purchasing the aforesaid property. It is however common to both versions, that the proposed sale consideration was fixed at ₹9 crores.

6. The record indicates that a token amount of ₹11,000 was transferred to respondent No. 2. Two cheques for ₹10 lakhs and ₹15 lakhs were also issued by the petitioners but were not presented for encashment. On 20.03.2023, an amount of ₹20 lakhs was transferred through RTGS to an account associated with respondent No. 2 and the same was thereafter transferred to Gautam Malhotra. The petitioners came into possession of the aforesaid property on or about 21.03.2023 and have continued to occupy it.

7. The petitioners claim, that further consideration was paid in the form of diamonds to persons associated with the transaction. This assertion is however disputed, by respondent No. 2, who maintains that, apart from the sum of ₹20 lakhs received through banking channels, no further amount was received towards the sale consideration.



8. The petitioners further allege that the original title documents were not supplied to them and that, on 21.05.2023, they were threatened when they sought verification of the title and additional time to make payment. In early June 2023, petitioner No. 1 lodged a complaint with the police in relation to the said alleged incident. *Vide* order dated 12.06.2023 passed in **W.P.(CRL.) 1756/2023** by a coordinate bench of this Court, the concerned authorities were directed to dispose of the complaint and to act promptly upon any complaint concerning a threat to the petitioners.

9. Respondent No. 2, on the other hand alleged, that the petitioners had obtained possession after representing that they would complete the transaction, but subsequently failed to pay the balance consideration or vacate the property. He further alleged that the petitioners threatened him and the person claiming ownership when called upon to make payment or hand back possession. On the basis of his written complaint, the subject FIR came to be registered on 06.07.2023.

10. The record also contains an Agreement to Sell dated 05.07.2023 and a registered General Power of Attorney dated 10.07.2023, stated to have been executed by Gautam Malhotra in favour of Vinod Kumar and Rohit Singhal in respect of the same property. The legal effect of these documents is also disputed.

11. The petitioners thereafter instituted the present petition for quashing of the relevant FIR. On 04.09.2023, the counsel for the petitioners submitted before this Court that, if respondent No. 2 had the requisite title, the petitioners were willing to purchase the property for the agreed consideration of ₹9 crores, of which ₹20 lakhs had already been paid through RTGS.

12. On 01.11.2023, it was brought to the notice of this Court that documents had, in the interregnum, been executed in favour of Vinod Kumar



and Rohit Singhal in respect of the subject property. The said persons expressed their willingness to transfer the property to the petitioners. Since the petitioners raised doubts concerning the authenticity of the title documents, the Investigating Officer [IO] was directed to verify the chain of documents and submit a report.

13. Pursuant thereto, a Status Report dated 08.11.2023 was placed on record, setting out the asserted chain of title from Captain Mehar Singh to Rubinder Kaur and thereafter to Gautam Malhotra. *Vide* order dated 21.12.2023, this Court directed the petitioners to deposit 50% of the agreed consideration of ₹9 crores with the Registrar General within four weeks.

14. The petitioners assailed the aforesaid order before the Hon'ble Supreme Court in ***SLP [Crl.] No. 1687/2024***. *Vide* order dated 09.02.2024, the Apex Court granted them four weeks to deposit 50% of ₹9 crores. It was further directed that, if the petitioners intended to purchase the property, they could deposit the balance consideration, after adjustment of the consideration already paid, within a period of four months. In default, they were required to vacate the property and restore possession to the persons from whom possession had been obtained. Gautam Malhotra, who claimed title to the property, was also required to furnish the title documents and, upon the petitioners being satisfied with the title, to take steps for execution of the sale deed.

15. Certain miscellaneous applications seeking extension of time and other directions thereafter remained pending before the Hon'ble Supreme Court. On 07.10.2025, the statement, that copies of the original title documents would be furnished to the petitioners' counsel was recorded. *Vide* order dated 11.11.2025, the Apex Court permitted the petitioners to comply with the order dated 21.12.2023 within a further period of four weeks. All rights and



contentions of the parties were left open, and this Court was requested to dispose of the proceedings expeditiously. Respondent No. 2 has also instituted **CONT.CAS(C) 680/2024** alleging non-compliance with the directions concerning deposit of the amount.

16. In the meanwhile, **TEST.CAS. 66/2023**, instituted by Hakam Rai Takkar in respect of the Will dated 23.12.2020, was decided on 03.11.2025. Rakesh Kumar thereafter sought review of the said judgment by relying upon an alleged subsequent Will dated 22.11.2021 in his favour. He had also instituted **Probate Petition No. 15/2025** before the District Court at Saket in respect of the said Will.

17. On 08.12.2025, the counsel appearing for the petitioner in **TEST.CAS. 66/2023** stated that, until the next date of hearing, the petitioner therein would not deal with the properties forming the subject matter of **Probate Petition No. 15/2025**, including property involved herein. The said interim arrangement was continued *vide* order dated 10.03.2026.

18. Rakesh Kumar subsequently filed **CRL.M.A. 12760/2026** in the present proceedings, seeking impleadment on the strength of the Will dated 22.11.2021 propounded by him. Relying upon these subsequent testamentary proceedings, the petitioners filed **CRL.M.A. 17536/2026** seeking recall of the order dated 21.12.2023 on the ground that material facts relating to the competing claims over the title had allegedly been withheld. Respondent No. 2 has opposed the said application. The rival claims to title arising from the aforesaid testamentary proceedings are noticed only as part of the factual background of this case and do not fall for adjudication in the present petition.

SUBMISSIONS ADVANCED ON BEHALF OF THE PETITIONERS

19. Mr. Ahluwalia, the learned senior counsel for the petitioners, submits that, the FIR arises from a proposed purchase of the subject property. It is



submitted that respondent No. 2 initially projected himself as the owner of the aforesaid property, whereas Prakash Jarwal subsequently claimed ownership and represented that respondent No. 2 was negotiating on his behalf. It is further submitted that respondent No. 2 did not hold any title to the subject property and that no document conferring title upon him has ever been produced. He further submits that after the consideration was settled at ₹9 crores on 24.02.2023, the petitioners paid ₹11,000/- as token money, issued cheques of ₹10 lakhs and ₹15 lakhs, and transferred ₹20 lakhs through RTGS on 20.03.2023. That they entered into possession of the aforesaid property on 21.03.2023 and that they have delivered diamonds worth approximately ₹23 lakhs and ₹25 lakhs on 17.04.2023 and 07.05.2023 respectively.

20. Learned senior counsel further submits, that despite repeated demands for payment, the title documents were not furnished. That on 21.05.2023, petitioner No. 1 and his son were allegedly confined and threatened during a meeting concerning the transaction, in respect of which a complaint is stated to be pending. It is emphasised by the learned senior counsel that no title document was shown to the petitioners before registration of the FIR on 06.07.2023.

21. Attention of this Court is drawn by the learned senior counsel to the order dated 04.09.2023 recording the petitioners' willingness to purchase the property for ₹9 crore, subject to respondent No. 2 establishing the requisite title. It is contended on his part, that the dispute concerned verification of title and payment of the balance consideration, and not any dishonest intention on the part of the petitioners.

22. Mr. Ahluwalia further submits that, though the Status Reports set out the asserted chain of title, they did not disclose the pending testamentary proceedings concerning the Will propounded in favour of Gautam Malhotra.



Reliance is also placed upon the competing claim of Rakesh Kumar and the order dated 08.12.2025 restraining any dealing with the property involved herein. Mr Ahluwalia submits that, these circumstances demonstrate a subsisting dispute concerning title which had not been disclosed to them.

23. Mr Ahluwalia on merits, contends, that the essential ingredients of the offences under Sections 420 and 448 of the IPC are absent. That the petitioners entered into possession consensually and made payments pursuant to the proposed sale, thereby negating any dishonest intention at the inception of the transaction. Rather, he contends that the petitioners were induced to part with money without disclosure of the dispute concerning title. It is, therefore, submitted that the controversy is civil in nature and does not warrant continuation of the criminal proceedings.

24. Mr. Ahluwalia next refers to the subsequent transaction stated to have been entered into with Vinod Kumar and Rohit Singhal. It is submitted that the FIR was registered on 06.07.2023, whereas documents relating to the subsequent transaction, including the registered General Power of Attorney, were executed on 10.07.2023. The learned senior counsel further on instructions, states, that payments under the subsequent transaction had been made on 28.06.2023, 30.06.2023 and 01.07.2023. On this basis, it is submitted that the property had been offered to other purchasers while the transaction with the petitioners remained unresolved. The petitioners accordingly seek quashing of the aforementioned FIR and the proceedings emanating therefrom.

SUBMISSIONS ADVANCED ON BEHALF OF THE STATE

25. Learned ASC appearing on behalf of the State submits that the petitioners have founded their arguments upon the Status Reports filed in 2023, whereas the investigation has since progressed. It is submitted that the



investigation remains pending and that the report from the Forensic Science Laboratory [FSL] is awaited. The State accordingly, seeks liberty to place the subsequent developments in the investigation before the Court and opposes quashing of the FIR at the present stage.

SUBMISSIONS ADVANCED ON BEHALF OF RESPONDENT NO. 2

26. Mr. Hariharan, the learned senior counsel appearing for respondent no. 2 submits that the petitioners have remained in possession of the subject property valued at ₹9 crores since March 2023 after making an admitted banking payment of only ₹20 lakhs. It is contended that they cannot continue to retain possession and simultaneously dispute the title of the person from whom the such possession was obtained. It is further submitted that the repeated demand for the original title documents is being used merely as a device to continue in occupation of the property without payment of the balance consideration. Mr. Hariharan contends that the petitioners have thereby deprived the person claiming ownership from enjoying his own property and that the allegations levelled do disclose offences punishable under Sections 420 and 448 of the IPC.

27. Mr. Hariharan further questions the locus of the petitioners to challenge the competing Wills in the present criminal proceedings. Learned senior counsel further submits that the petitioners have not instituted any civil suit seeking adjudication of their asserted rights in respect of the subject property. It is submitted that questions concerning the validity of the Wills and the title to the property fall for determination before the competent civil or testamentary court. The pendency of those proceedings, according to the learned senior counsel, does not justify quashing of the FIR arising from the petitioners' conduct in obtaining and retaining the possession of the property.



28. In answer to the contention concerning the subsequent transactions, the learned senior counsel submits that the arrangement with the other proposed purchasers was not proceeded with after the petitioners assured the Court that they would purchase the property. Accordingly, the learned senior counsel maintains that the allegations require investigation and that no ground for quashing of the FIR is made out.

ANALYSIS AND FINDINGS

29. This Court has heard both the learned senior counsels appearing for the concerned parties as well as the learned ASC for the State and has perused the material placed on record.

30. The controversy in the present case is confined to whether the allegations in **FIR No. 414/2023**, when taken at their face value, prima facie disclose the commission of offences alleged against the petitioners and whether continuation of the investigation would amount to an abuse of the process of law. For the sake of clarity, it is being stated, that this Court in the present case has not been called upon to determine the validity of the rival Wills, adjudicate title to the subject property or return a finding on the guilt of the petitioners.

31. The principles that govern the quashing of an FIR by the High Courts under their inherent jurisdiction are well settled. In **Neeharika Infrastructure (P) Ltd. v. State of Maharashtra, (2021) 19 SCC 401**, the Hon'ble Supreme Court provided that an investigation into a cognizable offence ordinarily ought not to be thwarted and that the power of quashing should remain as a power to be used only in exceptional circumstances. Further, the power to quash an FIR is to be exercised sparingly and within the categories recognised by the Apex Court in **State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335**.



32. In *State of Karnataka v. Prabhu Shankar*, 2026 SCC OnLine SC 1446, the Hon'ble Supreme Court reiterated that the High Court cannot undertake a roving enquiry or conduct a mini-trial while considering a prayer for quashing of an FIR. That the circumstances which may ultimately warrant discharge or acquittal cannot, for that reason alone, be converted into grounds for quashing an FIR. So as stated above, the enquiry at this stage is limited, to whether the allegations in the present case, prima facie disclose a cognizable offence or not.

33. The principal contention of the petitioners is that the controversy arose from a proposed sale, that their entry into the property was consensual, that part-payments were made and that the transaction could not be completed because the title documents were not furnished. It is well settled, that mere breach of a promise or failure to complete a transaction does not, by itself, constitute the offence of cheating. That dishonest intention at the time of inducement is an essential component of the aforesaid offence. This principle was explained in *Hridaya Ranjan Prasad Verma v. State of Bihar*, (2000) 4 SCC 168 as follows:

“15. In determining the question it has to be kept in mind that the distinction between mere breach of contract and the offence of cheating is a fine one. It depends upon the intention of the accused at the time of inducement which may be judged by his subsequent conduct but for this subsequent conduct is not the sole test. Mere breach of contract cannot give rise to criminal prosecution for cheating unless fraudulent or dishonest intention is shown right at the beginning of the transaction, that is the time when the offence is said to have been committed. Therefore it is the intention which is the gist of the offence. To hold a person guilty of cheating it is necessary to show that he had fraudulent or



dishonest intention at the time of making the promise. From his mere failure to keep up promise subsequently such a culpable intention right at the beginning, that is, when he made the promise cannot be presumed.” [Emphasis supplied]

At the same time, the complaint need not reproduce every statutory ingredient in express terms if the necessary factual foundation is disclosed. Reference in this regard may be made to ***Rajesh Bajaj v. State (NCT of Delhi)***, (1999) 3 SCC 259. The relevant portion reads as under:

“9. It is not necessary that a complainant should verbatim reproduce in the body of his complaint all the ingredients of the offence he is alleging. Nor is it necessary that the complainant should state in so many words that the intention of the accused was dishonest or fraudulent. Splitting up of the definition into different components of the offence to make a meticulous scrutiny, whether all the ingredients have been precisely spelled out in the complaint, is not the need at this stage. If factual foundation for the offence has been laid in the complaint the court should not hasten to quash criminal proceedings during investigation stage merely on the premise that one or two ingredients have not been stated with details. For quashing an FIR (a step which is permitted only in extremely rare cases) the information in the complaint must be so bereft of even the basic facts which are absolutely necessary for making out the offence.” [Emphasis supplied]

34. Tested on the aforesaid principles, the subject FIR cannot be read merely as a complaint concerning non-payment of the balance sale consideration. Respondent No. 2 alleges that petitioner No. 1 initially intended to take the property on rent and thereafter represented that he would



purchase it for ₹9 crores. It is alleged that two cheques aggregating to ₹25 lakhs were issued, that possession was delivered after the transaction was represented to have been finalised, that the cheques were thereafter requested not to be presented, and that only ₹20 lakhs were transferred thereafter through the concerned banking channels. When called upon to pay the balance amount within time or to vacate the property, both the petitioners are alleged to have threatened respondent No. 2 and the person claiming ownership and thereafter, continued to occupy the said property.

35. Read in their entirety, the allegations furnish a prima facie foundation for investigating, whether the possession was obtained on a representation which was not intended to be honoured and whether such intention existed at the very inception of the transaction or not. The part-payments, the disputed payments made in diamonds, the consensual nature of the initial entry into the property and the objection concerning title are all material circumstances which may constitute as the defence of the petitioners. They do not, however, constitute unimpeachable material which would conclusively nullify the allegations made in the FIR at this stage.

36. The submission that respondent No. 2 did not hold title to the subject property does not, by itself, render the allegations in the FIR inherently improbable as the submission made by respondent No. 2 that he was acting as a property dealer on behalf of the person asserting ownership of the said property disputes this very submission. So at this stage of quashing, this Court is neither required to determine whether the authority claimed by respondent No. 2 will ultimately withstand scrutiny or not, nor to adjudicate the asserted chain of title but what it cumulatively shows is that these matters require an investigation unto them.



37. The petitioners' asserted willingness to complete the transaction must next be tested against their subsequent conduct. Although the aforesaid developments have already been noticed hereinabove as part of the factual background, the same are being adverted to once again, albeit briefly, as the conduct of the petitioners pursuant to the opportunities granted by this Court and the Hon'ble Supreme Court has a material bearing on their plea that continuation of the investigation would amount to an abuse of the process of law. On 04.09.2023, willingness was expressed on their behalf to purchase the property, subject to the requisite title being established. On 01.11.2023, the IO was directed to verify the chain of documents. The Status Report dated 08.11.2023 thereafter set out the asserted chain of title. *Vide* order dated 21.12.2023, the petitioners were directed to deposit 50% of the agreed consideration with the Registrar General. The said order was assailed before the Hon'ble Supreme Court and *vide* order dated 09.02.2024, further time was granted by the Court to make the deposit and directions were also issued concerning payment of the balance consideration or restoration of possession. A further opportunity to comply with the order dated 21.12.2023 was also granted on 11.11.2025.

38. Now it is not the case of the petitioners that the deposit directed on 21.12.2023 was made, even within the further time granted by the Hon'ble Supreme Court. Their explanation for such non-compliance with the aforesaid direction is that the title remained disputed and that the relevant documents had not been disclosed. But the petitioners, nevertheless, continued to occupy the said property. The repeated failure to make the deposit despite repeated opportunities being granted, while continuing to be in the possession of the said property, materially weakens the plea that continuation of the



investigation is unnecessary and that the continuation of such will amount to an abuse of the legal process.

39. The submission made on behalf of respondent no. 2 that the repeated demand for original title documents was being used as a device to continue in occupation of the subject property also cannot be rejected outright. This court cannot at this stage venture into the merits of this submission to ascertain that whether the same holds any *iota* of truth or not. But the same, keeping in view the allegations levelled so far, also does not render the probability of it being the truth at this stage inherently improbable. To determine the same would amount to determination of a disputed question of fact, which the jurisdiction currently invoked prohibits.

40. The pendency of the proceedings concerning title and probate does not alter the aforesaid observations either. It is not disputed that probate of the Will dated 23.12.2020 was granted *vide* judgment dated 03.11.2025 and that the said grant continues to subsist. At the same time, the application seeking revocation of the probate grant and the proceedings founded upon the alleged subsequent Will dated 22.11.2021 remain pending before the competent testamentary courts. This Court, while considering the present petition for quashing of the FIR, is neither required to adjudicate the competing testamentary claims nor to determine the title to the subject property. However, the objections raised by the petitioners concerning the asserted chain of title and the authority of respondent No. 2 remain disputed and have not been accepted by any competent forum. Such contested claims, though relied upon to characterise the dispute as purely civil and to explain the non-compliance with the direction to deposit 50% of the agreed consideration, cannot be treated as unimpeachable material warranting termination of the investigation. The competing testamentary and civil claims may have a



bearing upon the rights of the persons claiming title to the subject property, but their adjudication must be left to the competent forum.

41. In ***Punit Beriwal v. State (NCT of Delhi)***, 2025 SCC OnLine SC 983, the Hon'ble Supreme Court, while setting aside an order of this Court wherein an FIR was quashed in exercise of its inherent jurisdiction, reiterated that the mere institution of civil proceedings is not a ground to quash an FIR or to hold that the dispute is purely civil where the allegations independently disclose a cognizable offence. The relevant portion of the aforesaid judgment reads as under:

“28. It is trite law that mere institution of civil proceedings is not a ground for quashing the FIR or to hold that the dispute is merely a civil dispute. This Court in various judgments, has held that simply because there is a remedy provided for breach of contract, that does not by itself clothe the Court to conclude that civil remedy is the only remedy, and the initiation of criminal proceedings, in any manner, will be an abuse of the process of the court. This Court is of the view that because the offence was committed during a commercial transaction, it would not be sufficient to hold that the complaint did not warrant a further investigation and if necessary, a trial. [See : Syed Aksari Hadi Ali Augustine Imam v. State (Delhi Admin.), (2009) 5 SCC 528, Lee Kun Hee v. State of UP, (2012) 3 SCC 132 and Trisuns Chemicals v. Rajesh Aggarwal, (1999) 8 SCC 686]”
[Emphasis supplied]

42. The challenge to the offence punishable under Section 448 of the IPC must be considered separately. The said challenge cannot be accepted merely because the petitioners' initial entry into the subject property was consensual in nature. Section 441 of the IPC which defines ‘criminal trespass’ includes a



case where a person, having lawfully entered upon property, unlawfully remains there with the intent prescribed in the provision and the same is when done with respect to a property used for human dwelling, such 'criminal trespass' amounts to 'house trespass' as provided in section 442 of IPC. The FIR alleges that, after being required to pay the balance amount of the agreed consideration or vacate the subject property, the petitioners continued in occupation and threatened the complainant and the person claiming ownership. Whether such continued occupation was unlawful and whether it was accompanied by the requisite intention are disputed questions of fact requiring investigation and cannot be determined at this stage.

43. The remaining material, including the Agreement to Sell, the registered GPA, the asserted payments by the subsequent proposed purchasers, the competing claims to title and the rival allegations of threats, cannot be conclusively evaluated without weighing the evidence. The investigation is stated to be pending and the FSL report is also awaited as stated on behalf of the State.

44. Therefore, the allegations made in **FIR No. 414/2023** prima facie require investigation unto them. The questions concerning title and intention cannot be determined at the threshold and the petitioners' conduct in not making the deposit despite repeated opportunities being granted also weighs against the grant of discretionary relief sought. Interference at this stage would require the Court to pronounce upon disputed facts before the Investigating agency has completed the statutory process and such is impermissible at the present stage. The case, therefore, does not fall within any of the exceptional categories warranting quashing of the subject FIR.



2026:DHC:7927



CONCLUSION

45. In view of the foregoing discussion, this Court finds no ground to quash ***FIR No. 414/2023*** dated 06.07.2023, registered at Police Station Neb Sarai, South District, Delhi, under Sections 420 and 448 read with 34 of IPC or the proceedings emanating therefrom.

46. Accordingly, the present petition is dismissed.

47. Pending applications also stand disposed of.

48. Interim order(s), if any, stand(s) vacated.

49. Needless to state, the observations herein are confined to the present petition for quashing and shall not prejudice the investigation in the aforesaid FIR or the independent proceedings if any, concerning title, probate, review, recall or contempt.

50. A copy of this judgment be sent of the concerned Investigating agency for necessary information, action and compliance.

51. The judgment be uploaded on the website *forthwith*.

MADHU JAIN
[JUDGE]

SEPTEMBER 17, 2026/PG