



\$~48

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

+ CRL.M.C. 3986/2025&CRL.M.A. 17362/2025(Stay), CRL.M.A. 17363/2025 (Direction)

MAPSA TAPES PRIVATE LIMITED & ANR.Petitioners

Through: Mr. Mohit Mathur, Sr. Adv. with Mr. Rohit Gandhi, Mr. Siddharth Kaushik, Mr. Hargun Singh Kala, Ms. Akshita Nigam & Mr. Varun Trivedi, Advs.

versus

STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Tarang Srivastava, APP for the State.
Insp. Kamal Kishor, P.S. EOW.
Mr. Hrishikesh Baruah, Mr. Parth Goswami & Mr. Akshay Kumar, Advs. for Respondent No.2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **29.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 17364/2025 (Exemption) & CRL.M.A. 17365/2025 (for filing lengthy list of dates)

2. Allowed, subject to all just exceptions. The applications are disposed of.

CRL.M.C. 3986/2025&CRL.M.A. 17362/2025(Stay), CRL.M.A. 17363/2025 (Direction)

3. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Erstwhile Section 482 of the Cr.P.C.) seeks the



following prayers:-

- “a. Quash the FIR No. 63/2025 dated 09.05.2025 under Section 406/419/420/468/471/120B of the Indian Penal Code registered at PS Economic Offences Wing, New Delhi, and all subsequent proceedings emanating from the Impugned FIR; and
b. This Hon'ble Court be pleased to pass such any other order and directions as this Hon'ble Court may deem fit and necessary to meets the ends of justice.”

4. Learned Senior Counsel appearing on behalf of the petitioners submits that the dispute between the petitioners and respondent no.2 is civil in nature. It is also pointed out that in various proceedings before this Court, certain directions have been passed with consent of parties with regard to the accounts. It is further submitted that the allegations in the present complaint also lack territorial jurisdiction of Delhi.

5. In the FIR, the allegations are as follows:-

“The alleged persons prepared various false, forged and fabricated documents by forging the signatures of directors and authorized signatories of the company and used the same for impersonation as genuine authorized persons of our company with the office of SPD and Hon'ble High Court. The alleged person impersonated themselves before the SPD Office and Hon'ble High Court as a result SPD SAMAGRA withheld remaining admitted sales proceeds of 11. 58 Crores.

The alleged Persons prepared forged and fabricated letter heads and e mail id's and used the same for preparing false, forged and fabricated declarations, authority letters, invoices and communication letters. The alleged persons not only created confusion in the department but also caused damages to the reputation of our company and wrongful losses of Rs. 11.57 Crores which were withheld by SPD SAMAGRA due to misdeed and fraudulent act of the above-named persons. The alleged above-named persons prepared forged and fabricated documents and used the same to obtain the amount from SPD SAMAGRA office for wrongful gains to themselves. Our company suffered total wrongful losses of Rs. 29.12 Crores due to act of forgery, misdeeds, impersonation, and inferior supplies of bags to SPD SAMAGRA.



In the light of the above, the alleged cheating on the basis of forged and fabricated documents is more than Rs. 29.00 Crores and as per the standing order no Crime /06/2022 dated 23.05.2022, Special CP EOW is the competent officer to enquire, register and handle complaint cases of economic crime of more than 3.00 Crores. We have already requested SHO PS Moti Nagar vide our submission dated 31.01.2025 to forward all the complaints with enquiry report to EOW for proper enquiry and registration of the case on merit. Hence in the light of above it is prayed that proper, unbiased, and transparent enquiry may be conducted, and a FIR may be registered under appropriate law against the accused persons.”

6. It is noted that the aforesaid allegations are with respect to Andhra Pradesh.
7. Learned counsel appearing on behalf of respondent no.2 submits that a part of the cause of action had arisen in Delhi.
8. Issue notice.
9. Learned APP for the State accepts notice and seeks time to file a status report. Let the same be done before the next date of hearing.
10. Learned counsel appearing on advance notice, accepts notice on behalf of the respondent no.2. Response, if any be filed before the next date of hearing.
11. List on 12.08.2025.
12. On the petitioner no.2 joining the investigation as and when directed by the Investigating Officer, no coercive steps shall be taken against her till the next date of hearing.
13. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MAY 29, 2025/nk/sc *Click here to check corrigendum, if any*