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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **CRL.M.C. 4349/2025, CRL.M.A. 18933/2025 & CRL.M.A. 18934/2025**

KPDK BUILDTECH PVT. LTD.

AND ORS.

.....Petitioners

Through: Mr. Manish Sharma, Sr.
Adv. with Mr. Vikas
Padora, Ms. Jigyasa
Sharma & Mr. Tushar
Malik, Advs.

versus

STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State
SI Vinay, PS- Keshav
Puram
Mr. Amar Nath Saini &
Mr. Karan Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

07.07.2025

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1. The present petition is filed seeking quashing of FIR No. 558/2024 ('FIR') dated 04.10.2024, registered at Police Station Keshav Puram for offences under Sections 420/506/120B/34 of the Indian Penal Code, 1860.
2. The FIR was registered pursuant to a complaint alleging that the petitioners availed the services of the complainant having no intention to pay. It is alleged that the complainant provided its advisory services for a period of one year.
3. Initially, the application was filed under Section 156(3) of the Code of Criminal Procedure, 1973. By order dated 30.08.2024, the learned JMFC directed registration of FIR.



4. The learned Senior Counsel for the petitioners submits that the dispute is commercial in nature which has also led to initiation of arbitration proceedings by the complainant. He submits that even if the case of the complainant is taken at the highest, the complainant would only be entitled to certain amount though once the petitioner had refused to take the services, no amount was payable.

5. The learned counsel for the complainant states that the complainant was made to render services for almost a year and that the services were thereafter terminated citing Board resolution which did not see the light of the day. He submits that the reports made by the complainant during the course of its engagement were referred to by the petitioner while obtaining loan from a bank and that no commission for the same was paid.

6. The learned Senior Counsel for the petitioners, submits that the consideration payable to the complainant was contingent upon the petitioners taking loan and using the reports made by the complainant for that purpose. He submits that the loan was subsequently obtained by the petitioners from its own Bankers. He submits that since the services of the complainant could not be availed, no amount stood payable to the complainant. He, however, states that the petitioners, even otherwise, are willing to sit with the complainant in order to arrive at some amicable resolution.

7. He submits that in order to show their *bona fide*, the petitioners will also deposit a sum of ₹10,00,000/- with the Registrar General of this Court which can be adjusted, if at any stage, the petitioners are found liable to pay to the complainant.

8. The learned counsel for the complainant also states that the complainant is not averse to making efforts for any amicable



resolution.

9. In view of the above, the parties are directed to appear before the Delhi High Court Mediation and Conciliation Centre.

10. List before Delhi High Court Mediation and Conciliation Centre on 16.07.2025 at 02:30 PM.

11. List before this Court on 23.09.2025.

12. The State is directed not to proceed further with the FIR till the next date of hearing.

13. Petitioners are directed to deposit ₹10,00,000/- within a week from today with the learned Registrar General of this Court.

AMIT MAHAJAN, J

JULY 7, 2025

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