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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5358/2024**

JAIVEER ALIAS JASSUPetitioner
Through: **Mr. Roopak Bansal, Advocate via**
video-conferencing.
versus

THE STATE NCT OF DELHIRespondent
Through: **Mr. Utkarsh, APP for the State.**
SI Gagandeep, P.S. Prashant Vihar.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

% **ORDER**
16.07.2024

CRL.M.A. 20495/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CRL.M.C. 5358/2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973/section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of FIR No. 580/2022 dated 21.10.2022 registered under sections 406/420/34 of the Indian Penal Code, 1860 at P.S: Prashant Vihar. The petitioner also seeks quashing of order dated 06.04.2024 made by the learned Additional Sessions Judge, Rohini Courts, Delhi, whereby he has been declared as an absconder.



2. Mr. Roopak Bansal, learned counsel appearing for the petitioner seeks quashing of the subject FIR on the ground that the dispute between the parties is of a civil nature; and that the complainant has already availed his remedy by filing a civil suit, seeking specific performance of the agreement to sell in the competent court at Jind, Haryana.
3. At the outset, it is noticed that the complainant has not been impleaded as a party-respondent in the matter.
4. On oral prayer made by learned counsel for the petitioner, the complainant, whose particulars appear in the FIR, is made party-respondent No.2 in the present matter.
5. Let Amended Memo of Parties be filed within 01 week.
6. Subject to the above, issue notice.
7. Mr. Utkarsh, learned APP appears on behalf of the State on advance copy; accepts notice; and seeks time to file status report/reply.
8. Subject to the petitioner taking requisite steps, let notice be sent to newly impleaded respondent No.2 through all permissible modes, returnable for the next date.
9. Let status report/reply be filed within 06 weeks of service; rejoinder/response thereto, if any, be filed within 04 weeks thereafter; with copies to the opposing counsel.
10. Re-notify on 24th October 2024.

ANUP JAIRAM BHAMBHANI, J

JULY 16, 2024

V.Rawat