

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 2443/2021

Giriraj Ratan Daga S/o Shri Shyam Sunder Daga, R/o B-13 D  
Shiva Marg Bani Park Jaipur (West) Raj. And E-92 Coral Castle  
Subhash Marg C-Scheme Jaipur

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. S.H.O., Police Station Jyoti Nagar (South) Jaipur
3. D.C.P., Jaipur City (South)
4. Sanjay Shotriy S/o Sh. Sada Shiv Shotriy, R/o 91 Vivek  
Vihar In Front Of Danik Baskar Bajaj Nagar Jaipur East  
Rajasthan

-----Respondents

Connected With

S.B. Criminal Miscellaneous (Petition) No. 2449/2021

Giriraj Ratan Daga S/o Shri Shyam Sunder Daga, R/o B-13 D  
Shiva Marg Bani Park Jaipur (West) Raj. And E-92 Coral Castle  
Subhash Marg C-Scheme Jaipur

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. S.h.o., Police Station Jyoti Nagar (South) Jaipur
3. D.c.p., Jaipur City (South)
4. Deepak Kalani S/o Late Nand Kishor Kalani Vimkumar,  
R/o 118/247 Near Davarka Park Mansarovar Jaipur  
(South) Rajasthan

-----Respondents

S.B. Criminal Miscellaneous (Petition) No. 2450/2021

Giriraj Ratan Daga S/o Shri Shyam Sunder Daga, R/o B-13 D  
Shiva Marg Bani Park Jaipur (West) Raj. And E-92 Coral Castle  
Subhash Marg C-Scheme Jaipur

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp

2. S.h.o., Police Station Jyoti Nagar (South) Jaipur
3. D.c.p., Jaipur City (South)
4. Dewesh Kumar S/o Amrish Kumar Jain, R/o 13 Rupnagar  
1 Gopalpura Mahesh Nagar Jaipur (South) Rajasthan

-----Respondents

S.B. Criminal Miscellaneous (Petition) No. 2451/2021

Giriraj Ratan Daga S/o Shri Shyam Sunder Daga, R/o B-13 D  
Shiva Marg Bani Park Jaipur (West) Raj. And E-92 Coral Castle  
Subhash Marg C-Scheme Jaipur

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. S.h.o., Police Station Jyoti Nagar (South) Jaipur
3. D.c.p., Jaipur City (South)
4. Vimal Kumar S/o Sh. Pukhraj Jain, R/o 14-15 Kusum  
Vihar Colony In Front Of R.k. House City Road Madan  
Ganj Madan Ganj Ajmer Rajasthan

-----Respondents

S.B. Criminal Miscellaneous (Petition) No. 2465/2021

Giriraj Ratan Daga S/o Shri Shyam Sunder Daga, R/o B-13 D ,  
Shiva Marg, Bani Park, Jaipur (West) Raj. And E-92, Coral Castle,  
Subhash Marg, C-Scheme, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. S.h.o, Police Station, Jyoti Nagar, (South) Jaipur.
3. D.c.p, Jaipur City (South).
4. Mehul Sharma S/o Sh. Krishan Kumar Sharma, 94/158,  
Mansarovar, Shipra Path, Jaipur.

-----Respondents

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|-------------------|---|----------------------------------------------------------------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Pankaj Gupta with<br>Mr. Chinmay Sharma                                                                                |
| For Respondent(s) | : | Mr. Manvendra Singh Shekhawat, PP<br>Mr. Yuvraj Samant with<br>Ms. Neha Amola<br>Mr. Peush Nag<br>Mr. Aditya Kumar Mitruka |

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**HON'BLE MR. JUSTICE ANAND SHARMA****Order****06/11/2025**

1. All the above criminal miscellaneous petitions are relating to similar FIRs against the petitioner by flat holders of one multi-storeyed building namely; Coral Studio-I constructed at Flat No.B-64 & 65 Sahkar Marg, Lal Kothi, Jaipur and similar allegations have been levelled in all the FIRs, hence, for the purpose of convenience as well as with the consent of all the parties, the above criminal miscellaneous petitions are being decided by this common order.

2. Facts stated in S.B. Criminal Miscellaneous (Petition) No. 2443/2021 are being taken into consideration.

3. It is submitted by learned counsel for the petitioner that the petitioner is director of Radha Krishna Buildtech Private Limited, which is dealing in the business of construction and sale of multi-storey buildings and flats. One project was launched by RBPL over Plots No.B-64 & 65 for construction of one multi-storeyed building in the name of Coral Studio-I. The petitioner took loan for the aforesaid project from India Infoline Housing Finance Limited (hereinafter to be referred as 'IIFL') and there were certain conditions in the agreement that without there being No Objection Certificate (hereinafter to be referred as 'NOC') issued by IIFL, the petitioner/RBPL was not authorized to sell the flats/units of the aforesaid building and since the petitioner sold some of the flats to different buyers, therefore, initially IIFL lodged one FIR No.37/2020 against the petitioner at Police Station Ashok Nagar, District Jaipur City (South) for the offences under

Section 420, 406, 409, 467, 468, 471 & 120-B of IPC, which was followed by a number of other FIRs by the flat buyers in the aforesaid project.

4. It is submitted that the dispute was only with regard to making certain payment for purpose of issuance of NOC and the matter went up to the Hon'ble Supreme Court in the case of **M/s HITH Consulting Private Limited & Ors. Vs. State of Rajasthan & Ors., SLP (Criminal) No.8476/2021**, where matter was referred to the mediation and before mediation centre, as IIFL being an interested party, was also called and thereafter, settlement took place between RBPL/Giriraj Ratan Daga (petitioner) and IIFL after making full and final payment to IIFL. Thereafter NOC was also issued by IIFL in favour of RBPL. In view of the terms of settlement FIR No.37/2020 lodged by IIFL with Police Station Ashok Nagar, District Jaipur City (South) was quashed by the Hon'ble Supreme Court and one more FIR No.58/2020, which was lodged by one of the flat buyers with the similar allegation of selling the flat on the basis of forged NOC, has also been quashed by the Hon'ble Supreme Court by passing order dated 18.03.2024.

5. Learned counsel for the petitioner submits that in view of settlement that took place between the petitioner and IIFL, no other dispute is left and all the complainants in the impugned FIRs in the aforesaid criminal miscellaneous petitions have also agreed that in view of settlement as well as order passed by the Hon'ble Supreme Court in the case of **M/s HITH Consulting Private Limited (supra)**, they do not intend to prosecute the petitioner any further. Learned counsel for the petitioner undertakes that the

petitioner shall furnish copy of NOC to each of the complainant in the present proceedings issued by IIFL.

6. Learned counsel for the complainants are also present before the Court and have not disputed the factum of settlement between the parties and have reiterated that the complainants do not want to pursue their FIRs against the petitioner.

7. In the light of above, where the dispute apparently appears to be of civil nature and; after full and final payment by the petitioner to IIFL, it has been settled before the Hon'ble Supreme Court, and the Hon'ble Supreme Court has also quashed the similar FIR, which has not been disputed by learned counsel for the complainants, this Court deems it just and proper to exercise its inherent jurisdiction under Section 482 Cr.P.C. and accordingly quashed FIRs No.70/2020, 08/2020, 220/2020, 78/2020 & 05/2020 along with all consequential proceedings.

**(ANAND SHARMA),J**