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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 1809/2025 & CRL.M.A. 8202/2025,
CRL.M.A. 8203/2025

SUNIL KALRA

.....Petitioner

Through: Mr. Shohit Chaudhary,
Adv. with the petitioner in
person.

Mr. Raghav Kalra,
accused in person.

Mrs. Renu Kalra, accused
(through VC) (Jail No. 6,
Tihar Jail)

versus

STATE (GOVT. OF NCT OF DELHI)
& ANR.

.....Respondents

Through: Ms. Richa Dhawan, APP
for the State with Insp.
Randheer Kumar Ravi, PS
Civil Lines (North Distt.)

Mr. Digvijay Singh, Adv.
for R-2 / complainant
(through VC)

Complainant (through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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28.07.2025

1. The present petition is filed seeking quashing of FIR No. 57/2020 dated 20.03.2020, registered at Police Station Civil Lines, for the offences under Sections 420/34 of the Indian Penal Code, 1860 (IPC), and all consequential proceedings arising therefrom. The present FIR was registered on a complaint made by Respondent No.2.



2. It is alleged that Respondent No. 2 and his wife intended to purchase a commercial property for the purpose of investment. It is alleged that Mrs. Renu Kalra and her son Mr. Raghav Kalra approached Respondent No. 2 and claimed that two shops admeasuring 9.3sq. mts. Bearing shop No. 04 on the ground floor of 16-UB, Bunglow Road, Jawahar Nagar kamala Nager, Delhi-110007, located in Jawahar Nagar, Kamla Nagar and Shop number 06 on the ground floor of 16-UB. Bunglow Road, Jawahar Nagar, Kamla Nagar Delhi-110007 were registered in the name of Mrs. Ridhi Kalra/Daughter of Mrs. Renu Kalra and Mr. Sunil Kalra/husband of Mrs. Renu Kalra respectively. The accused persons claimed that Mr. Raghav Kalra possessed the General Power of Attorney to execute and enter into an agreement to sale in respect of the said two shops and also accept consideration of the sale proceeds on behalf of Mr. Sunil Kalra and Mrs. Ridhi Kalra.

3. The said shops, as represented by Mrs. Renu Kalra, at that time were rented to Kotak Mahindra Bank and Chowringee Enterprises respectively. It is alleged that based on the representations of Mrs. Renu Kalra and her son Mr. Raghav Kalra, Respondent No. 2 was induced to purchase the two shops from them. It is alleged that a sale deed was executed in the favour of Respondent No. 2 and his wife, and a sum of ₹13,50,000/- and ₹10,10,000/- was paid to the accused persons in respect of the said properties.

4. It is alleged that thereafter Respondent No. 2 and his wife leased out the said shops to the erstwhile tenants afresh and continued to receive rental income from them. It is alleged that thereafter, Respondent No. 2 received a call from the tenants who



informed him that someone ~~CSE~~ claimed to be the owner of the respective shops, and also showed them a registered sale deed in their favour and wanted the monthly rental income to be transferred to their account.

5. It is alleged the accused persons, in connivance with some unknown persons and officials of Sub-Registrar-I office, executed forged sale deeds in respect of the same property in favour of some third party and also accepted consideration for the same. The same culminated into the registration of the FIR.

6. By order dated 28.09.2024 passed by the learned Trial Court, charges were framed against Mrs. Renu Kalra, Mr. Raghav Kalra and Mr. Sunil Kalra for the offences under Sections 420/467/468/471/120-B/34 of the IPC.

7. The proceedings against Mrs. Ridhi Kalra have already been quashed by this Court by order dated 19.09.2024.

8. The present petition is filed on the ground that the parties have settled their disputes.

9. By order dated 22.05.2025 passed by this Court, the submission of the learned counsel for the petitioner was noted that pursuant to the settlement, a sum of ₹7,50,000/- had already been paid to the complainant. The statement of the complainant was also recorded that he had received the settlement amount and had no objection if the proceedings arising out of the present FIR are quashed *qua* all the accused persons.

10. Mr. Raghav Kalra and the petitioner are present in person in Court. Mrs. Renu Kalra has joined the proceedings through video conferencing from Jail No. 6, Tihar Jail. The complainant has also joined the proceedings through video conferencing. The accused persons and the complainant have been duly identified



by the Investigating Officer.

11. The accused persons request that the present FIR be quashed since they have settled the disputes with the complainant.

12. On being asked, the complainant states that he is satisfied with the settlement amount, and has no objection if the present FIR and the consequential proceedings emanating therefrom are quashed against all the accused persons.

13. The learned Additional Public Prosecutor for the State submits that the petitioner had allegedly sold that same property to other persons as well, who have also filed complaint(s).

14. Offence under Section 420 of the IPC is compoundable whereas offences under Sections 467/468/471 of the IPC are non-compoundable.

15. It is well settled that the High Court while exercising its powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') (erstwhile Section 482 of the Code of Criminal Procedure, 1973) can quash offences which are non-compoundable on the ground that there is a compromise between the accused and the complainant. The Hon'ble Apex Court has laid down parameters and guidelines for High Court while accepting settlement and quashing the proceedings. In the case of **Narinder Singh & Ors. v. State of Punjab & Anr. : (2014) 6 SCC 466**, the Hon'ble Supreme Court had observed as under :-

"29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court



to compound the offences under Section 320 of the Code. No doubt, under Section 462 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

- (i) ends of justice, or**
- (ii) to prevent abuse of the process of any court.**

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

(emphasis supplied)

16. Similarly, in the case of **Parbatbhai Aahir & Ors. v. State of Gujarat & Anr. : (2017) 9 SCC 641**, the Hon'ble Supreme Court had observed as under :-



"16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.

16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.

16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.

*16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. **Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.***

16.7. As distinguished from serious offences, there may be



criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”

(emphasis supplied)

17. It is pertinent to note that in the present case, the complainant has stated that he has received the entire settlement amount of ₹7,50,000/-. The complainant has further stated that he is satisfied with the settlement amount, and has no objections if the proceedings emanating from the present FIR are quashed against all the accused persons. In the peculiar circumstances of this case where the complainant himself has stated that he is satisfied with the settlement amount and has no objection if the FIR and the proceedings emanating therefrom are quashed, it is unlikely that the present FIR will result in a conviction when the complainant himself does not wish to pursue the case. In such a case, this Court is of the opinion that no purpose would be served by keeping the dispute alive and the continuance of the



proceedings would amount to an abuse of the process of Court. I am of the opinion that this is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS.

18. It is however made clear that the present order is passed in the peculiar circumstances of this case and will not impede any other party seeking remedies in accordance with law against the accused persons.

19. In view of the above, FIR No. 57/2020 and all consequential proceedings arising therefrom are quashed and all the accused persons are discharged from the present FIR.

20. The present petition is allowed in the aforesaid terms. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

JULY 28, 2025

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