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

\+ CRL.M.C. 2315/2025

INTERNATIONAL PRINT O PAC LTD. .....Petitioner

Through: *Appearance not given*

versus

STATE OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Mukesh Kumar, APP for the State with SI Priyank Rana, PS Daryaganj
Mr. Neeraj Gupta, Mr. Rajat Asija, Advocates for R-2 with R-2 in person (through VC)

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% 12.09.2025

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] (corresponding to Section 482 of the Code of Criminal Procedure, 1973[2]) seeks quashing of FIR No. 44/2024 dated 13th January, 2024, registered under Sections 406/34 of the Indian Penal Code, 1860[3] at P.S. Darya Ganj and all consequential proceedings emanating therefrom.

2. Briefly stated, the case of the prosecution against the Petitioner is as follows:

2.1. A complaint was filed by Narsingh Dass & Co. Pvt. Ltd., a company

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[1] "BNSS"
[2] "CrPC"
[3] "IPC"

engaged in the business of trading of paper, through its Director Mr. Kapil Gupta, against the Petitioner – International Print-O-Pac Ltd. In the complaint, it is alleged that the Petitioner, through its Directors, induced the complainant to supply large quantities of paper on the assurance of timely payment.

2.2. Relying on these assurances, the complainant supplied goods to the Petitioner on several occasions. As per the complainant's books of account, an outstanding sum of INR 79,55,705/- remains due. It is further alleged that the Petitioner never intended to honour its commitments.

2.3. In December 2019, when pressed for clearance of dues, the Petitioner allegedly assured repayment and proposed further transactions against Bank LCs. Although certain payments were realised through the bank, the Petitioner is said to have delayed acceptance of LCs and created discrepancies in documentation, resulting in additional charges to the complainant and non-clearance of part of the dues.

2.4. When the complainant again demanded settlement, representatives of the Petitioner allegedly refused payment and issued threats of dire consequences. The prosecution contends that the Petitioner induced supply of goods by deception, dishonestly withheld payment, and thereby committed criminal breach of trust under Section 406 IPC. On the basis of the complaint, the present FIR was registered on 13th January, 2024 under Sections 406 and 34 IPC.

3. The parties state that they have amicably resolved their disputes and differences, and Respondent No. 2 has voluntarily decided not to pursue the impugned FIR. In this regard, and in settlement of the present and other *inter se* disputes between the parties, a Settlement Agreement dated 30th January,

2025 has been executed between the Petitioner and Respondent No. 2.

4. The Petitioner has produced a copy of the Board Resolution dated 30th August, 2025 in favour of Mr. Kapil Gupta, Director of the complainant company. The copy is handed over across the board and is taken on record.

5. Mr. Kapil Gupta, who has joined the proceedings through the Video Conferencing mechanism, confirms the settlement as well as the Board Resolution passed in his favour. He further confirms the Settlement Agreement dated 30th January, 2025, under which Respondent No. 2 has received a sum of INR 50,00,000/- towards full and final settlement of all its claims/dues against the Petitioner. In light of the settlement, he states that Respondent No. 2 has no objection to the quashing of the FIR.

6. The Court has considered the aforenoted submissions. It is pertinent to note that the offence under 406 of IPC is compoundable, albeit with the permission of the Court, and only at the instance of the aggrieved party. However, that does not debar the High Court from resorting to its inherent power under Section 528 of BNSS (corresponding to Section 482 of CrPC) and pass an appropriate order so as to secure the ends of justice.

7. Having regard to the nature of the dispute and the fact that the aggrieved parties have amicably settled the matter, this Court is of the view that continuation of the criminal proceedings would serve no useful purpose. In the circumstances, this is a fit case for exercise of jurisdiction under Section 528 of BNSS, as the continuance of proceedings would amount to an abuse of the process of law and impede the ends of justice.

8. In view of the above, and considering that the State machinery has been put to motion, ends of justice would be served if the Petitioner company is put to cost.

9. Accordingly, the present petition is allowed and FIR No. 44/2024 dated 13th January, 2024, registered at P.S. Darya Ganj and all consequential proceedings emanating therefrom are hereby quashed, subject to payment of a cost of INR 10,000/- by the Petitioner to the Delhi Police Welfare Fund, within a period of four weeks from today.

10. The parties shall remain bound by the terms of settlement.

11. Accordingly, the petition is disposed of along with any pending application(s).

SANJEEV NARULA, J

SEPTEMBER 12, 2025/ab