



\$~59

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

+ **CRL.M.C. 2583/2025**

PARTAP RUGHWANI AND ORS

.....Petitioners

Through: Mr. Aditya Kapoor, Adv. along with
petitioners

versus

THE STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with Ms. Upasna Bakshi, Adv. and SI Prabhash,
DIU/North in person

Mr. Himanshu Deora, AR for R-2 and R-3

Mr. Prakhar Singh Adv.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

16.10.2025

%

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioners praying for quashing of FIR No. 138/2018 registered at Police Station Bara Hindu Rao for the offences punishable under Sections 63/65 of the Copyright Act, 1957.

2. The FIR in the present case was registered on the basis of a complaint filed by Mr. Himanshu Deora, Special Power Attorney holder of respondent no. 2 and 3 company, alleging large-scale infringement of their intellectual property rights. It was alleged that certain unknown persons were engaged in unauthorised manufacture, sale, and distribution of counterfeit goods bearing falsified Disney and Marvel characters and trademarks, including



toys, stationery items, and clothing, thereby infringing respondent no. 2 & 3's copyrights and trademarks. Upon inquiry, the petitioners were found involved in such activities leading to registration of the present FIR.

3. Learned counsel appearing on behalf of the petitioners has submitted that the petitioners and respondents no. 2 and 3 company have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future.

4. Compromise deed dated 04.12.2024 is on record and has been annexed as Annexure P4. *Qua* this deed, the respondents no. 2 and 3 company have agreed to withdraw the case arising out of FIR No 138/2018 registered at Police Station Bara Hindu Rao against the petitioners. The petitioners admitted respondent no. 2 & 3's ownership and superior rights over the Disney and Marvel materials and undertook not to manufacture, sell, or use any such infringing goods in the future. They also agreed that any seized counterfeit goods could be destroyed, and that they would not file or pursue any intellectual property registrations resembling Disney or Marvel marks.

5. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise.

6. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

7. Heard learned counsel for the parties and perused the record.

8. The petitioners are present before this Court and have been identified by their counsel and Investigating Officer, Police Station Bara Hindu Rao.



The AR of respondents no. 2 and 3 is also present in the Court and has been identified by the counsel and the Investigating Officer.

9. On a query made by this Court, the AR of respondents no. 2 and 3 has categorically stated that they have entered into compromise on their own free will and without any pressure. It is also stated by him that the entire dispute has been amicably settled between the parties.

10. Keeping in view the fact that the matter stands amicably settled between the petitioners and respondents no. 2 and 3 without any pressure, no fruitful purpose would be served by keeping the matter pending.

11. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

12. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

13. In the present case, the State machinery has been put into motion and further the judicial time has also been wasted, it is deemed appropriate to impose cost on the petitioners and well as respondents no. 2 and 3.

14. In the facts and circumstances of the present case, the petitioners are directed to deposit a cost of Rs.10,000/- each with DHCBA Women Advocates Welfare Fund. The respondents no. 2 and 3 company are also directed to deposit a cost of Rs.25,000/- each with DHCBA Women Advocates Welfare Fund.

15. Hence, in light of the judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab* (2012) 10 SCC 303**, FIR No 138/2018 registered at Police Station Bara Hindu Rao for the offences punishable under Sections 63/65 of the Copyright Act, 1957, and consequent



proceedings emanating therefrom, are quashed qua the present petitioners, subject to payment of cost of ₹10,000/- each payable by the petitioners and cost of ₹25,000/- each payable by respondents no. 2 and 3 company, which shall be deposited with DHCBA Women Advocates Welfare Fund i.e., saving account no. 15530110172858 (IFSC- UCBA0001553), Bank Name- UCO Bank, Branch- Delhi High Court within a period of two weeks. The receipt of payment is to be deposited and verified by the concerned IO.

16. The petition along with pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

OCTOBER 16, 2025/ar/dd