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

+ CRL.M.C. 2933/2025

CHANDER PARKASH GAUBA

.....Petitioner

Through: Mr. Dev Dutt, Advocate alongwith
Petitioner in person.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Priyanka Dalal, APP for the
State.
Complainant/R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

01.09.2025

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1. Petitioner herein seeks quashing of an FIR No. 046/2017 dated 27.01.2017 for the alleged offences under Sections 403/406/408/418/420 of IPC, registered at Police Station Saket, along with all consequential proceedings arising therefrom, on the basis of a compromise between the parties.

2. Per FIR, respondent no.2/ complainant's company is engaged in procuring garment orders for foreign country buyers. For execution of these orders, the complainant engaged several factories, including the company of the petitioner (managing director), V&S International Pvt. Ltd.

2.1 Accordingly, advance money was paid, directly to M/s Indome Buttons at the insistence of the petitioner. However, shipments were delayed, quality was the allegation, and even the consignments were



allegedly diverted for other purposes, was the allegation.

2.2 Despite repeated requests and reminders, the petitioner failed to refund the amounts, though the complainant had already advanced substantial sums.

3. Learned counsel for the petitioner submit that the parties have now amicably settled the matter *vide* MOU/ Settlement Deed dated 17.05.2025.

4. Learned counsel for the petitioner further submits that, in view of the compromise between the parties and as Respondent no. 2 is not inclined to press charges, the FIR in question along with all consequential proceedings arising therefrom may be quashed. He also urges that since the charges have not yet been framed and no charge sheet has been filed, it would be in the interest of justice to bring the dispute between the parties to a quietus.

5. In response to a Court query, both the counsel for Respondent No. 2 and the learned APP for the State concur with the factum of the compromise between the parties and convey their no objection to the quashing of the FIR.

6. In the aforesaid backdrop, I have heard learned counsels for the parties and have perused the case file.

7. Respondent No. 2/complainant, upon a query, candidly submits that he is duly authorized on behalf of the company to state that, in view of the settlement arrived at, the complainant is not inclined to press charges against the petitioner. He further submits that the settlement has been arrived at voluntarily, without any duress or coercion and thus, continuation of further proceedings would not serve any fruitful purpose.

8. Having interacted with the complainant and considering the nature of the dispute, it appears to be private and civil, arising from a financial



transaction, and lacking any public or societal interest.

9. Thus, the commercial transaction which resulted in the FIR seems to be rather a case of certain professional deficiency and not deliberate attempt of cheating or forgery. The same is also duly admitted by the informer/complainant who states that at the relevant time the FIR arose out of complete misunderstanding on the part of both the parties.

10. The matter, which seems to have arisen from misunderstandings between the parties, has been amicably resolved. Continuation of criminal proceedings would serve no useful purpose, constitute an abuse of the process of law, and place unnecessary burden on the judicial system/prosecution. Quashing the FIR in question, on the other hand, would rather promote peace and harmony between the parties, particularly as the complainant does not wish to pursue the case further.

11. Accordingly, invoking inherent powers vested with this Court under Section 528 of the BNSS, it is deemed expedient to quash the FIR in question. Reference in this context may also be had to judgment rendered in the case of ***Gian Singh v. State of Punjab &Anr. [(2012) 10 SCC 303]***.

12. The instant petition is thus allowed. The criminal proceedings arising out of FIR No. 046/2017 dated 27.01.2017 for the alleged offences under Sections 403/406/408/418/420 of IPC, registered at Police Station Saket, and further proceedings arising therefrom, are hereby quashed.

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

ARUN MONGA, J

SEPTEMBER 1, 2025/rs/nk