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

+ **CRL.M.C. 3145/2025**

SHAHAS RAHMAN R S

.....Petitioner

Through: Mr. Atul Maliyan and Mr. Bibin John,
Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Hemant Mehla, APP for the
State.
SI Ankit Maan, PS: Subash Place.
Mr. Kapil Gupta, Director of R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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15.09.2025

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 2297/2023, registered under Section 379 of the Indian Penal Code, 1860³ at e-Police Station Subhash Place, North West and all consequential proceedings emanating therefrom.

2. The aforementioned FIR was registered on a complaint lodged by Mr. Kapil Gupta, Director of Respondent No. 2 Company, alleging theft of a Mercedes-Benz vehicle from the premises located at 82, 4th Floor, Kapil

¹ "BNSS"

² "CrPC"

³ "IPC"



Vihar, Opposite Gulab Sweets, Pitampura, Delhi. Pursuant to the Complainant's statement, the subject FIR was registered.

3. The Petitioner, however, presents a different account. He states that he had negotiated the purchase of the said vehicle through a middleman, who represented that the vehicle belonged to Respondent No. 2. According to the Petitioner, he paid a sum of ₹5,50,000/- to the said intermediary, whereupon possession of the vehicle was delivered to him.

4. Upon inquiry, the Petitioner discovered that the middleman had failed to remit a balance sum of ₹25,000/- to Respondent No. 2, despite having collected the full consideration from him. In order to regularise the transaction, the Petitioner himself made payment of ₹25,000/- directly to Respondent No. 2, whereupon the requisite transfer documents were executed in his favour. However, when the Petitioner approached the concerned RTO for issuance of a No Objection Certificate, the request was declined on the ground that the vehicle was being shown as 'stolen' in the official records owing to the subject FIR.

5. The Petitioner submits that with the receipt of the said ₹25,000/-, Respondent No. 2 has resolved all disputes and has voluntarily consented to quashing of the FIR. In confirmation, Mr. Kapil Gupta, Director of Respondent No. 2/Complainant, has appeared before this Court through video conferencing, has been duly identified by the Investigating Officer, and has unequivocally stated that he does not wish to pursue the FIR. He has further affirmed that the settlement is voluntary, that he has received the aforesaid sum, and that he is fully satisfied. On this basis, the Petitioner prays for quashing of the FIR and all proceedings arising therefrom.

6. The Court has considered the aforementioned submissions. The dispute



stems from a private transaction involving sale of a vehicle, which has now been fully and amicably settled. The complainant, who is the Director of Respondent No. 2, has expressly stated on oath that he does not wish to pursue the FIR, having received the outstanding amount of ₹25,000/-. No element of public interest or grave criminal offence is involved, and continuation of proceedings would serve no useful purpose. It is also pertinent to note that the offence under Section 379 IPC is compoundable, *albeit* with the permission of the Court, and only at the instance of the aggrieved parties. However, that does not debar the High Court from resorting to its inherent power under Section 528 of BNSS (formerly, Section 482 of Cr.P.C.) and pass an appropriate order so as to secure the ends of justice.

7. Having regard to the nature of the dispute and the amicable settlement between the parties, continuation of the criminal proceedings would serve no useful purpose. In the circumstances, the case calls for exercise of jurisdiction under Section 528 of the BNSS to secure the ends of justice.

8. In view of the foregoing, the present petition is allowed, and FIR No. 002297/2023, registered at e-P.S. Subhash Place, North West as well as all consequential proceedings arising therefrom are hereby quashed.

9. Accordingly, the petition is disposed of.

SANJEEV NARULA, J

SEPTEMBER 15, 2025

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