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

+ **CRL.M.C. 3468/2025**

SURENDER

.....Petitioner

Through: Mr.Sandeep Lohra, Advocate
Petitioner in person

versus

THE STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr.Sanjeev Sabharwal, APP for State
Respondent no. 2 and 3 in person

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **22.09.2025**

Crl.M.A. No. 15297/2025 (Exemption)

Exemption allowed, subject to just exceptions.

The application stands disposed of.

CRL.M.C. 3468/2025

1. Petitioner herein seeks quashing of an FIR No. 391/2018 dated 12.11.2018 for the alleged offences under Sections 380, 406, 419, 420, 468, 471 of IPC, registered at Police Station Anand Vihar, along with all the proceedings arising therefrom, on the basis of a compromise between the parties.
2. The complainant, Indian Overseas Bank, through its Branch Manager, alleged that Mr. Sanchit Arora (Respondent No.2) and his brother, Mr. Sahil Arora (Respondent No.3), joint holders of Locker No. 85, complained that their locker was emptied by someone. Following which the matter was referred to the police. During the investigation, the petitioner, who at the



relevant time was a staff member of the bank was held responsible for access to the locker room.

3. Learned counsel for the petitioner submits that during the course of the investigation, the parties have amicably settled the matter *vide* a MOU/ Compromise Deed dated 17.02.2025.

3.1 Learned counsel further submits that the affidavits of no objection to the quashing of the aforesaid FIR, duly sworn by Respondents No.2 and 3, have been placed on record, and that the said respondents have unequivocally consented to the quashing of the FIR in question.

3.2 Learned Counsel further submits that keeping in view the compromise between the parties, and since the dispute was purely private in nature, further continuation of the proceedings would be a futile exercise and an abuse of the process of law. Thus to secure the ends of justice, the FIR in question and the proceedings arising therefrom be quashed.

4. The learned APP for the State in the petition, under instructions concur with the factum of compromise between the parties and the same has been duly verified, he informs.

5. In the aforesaid backdrop, I have heard learned counsels for the parties, as well as perused case file.

6. The parties are present in Court, and I have interacted with them. Upon a query put to the complainants *qua* the settlement, they unequivocally submit that the matter has been settled out of their own volition, without any undue pressure or coercion from any quarter. They further submit that they do not wish to pursue the matter further and support the quashing of the FIR.

7. Having interacted with the respondents and considering the nature of the dispute, it is borne out that the matter is purely private and personal, and



lacking any public or societal interest arising out of deficiency of banking services. It appears that the parties have resolved their differences and arrived at a mutual compromise, desire to restore cordial relations.

8. Since the complainant does not wish to press charges against the petitioner and there is no incriminating material against him, the chances of conviction are almost negligible. Further criminal proceedings before the court and continuation of the trial would be an abuse of the process of law, especially where the parties have amicably settled their dispute which does not involve any public interest or interest of the society at large. Continuation of proceedings will be an exercise in futility and wasteful expense of public exchequer.

9. Even on a plain reading, and in light of the candid statements of parties, it appears doubtful whether the essential ingredients of the offences invoked under the penal provisions are satisfied. In light thereof, I am of the view that the petition deserve to be allowed on that count as well.

10. The genuineness of the compromise is not in dispute. However, since the Trial Court was not empowered to compound certain offences, the criminal proceedings could not be dropped. Thus, in the premise, taking a wholesome view and in order to let the parties entire mutual cordiality which will go long way to establish peace rather than promote hostility in case further proceedings continue, this is a fit case for invoking inherent powers vested with this Court under Section 528 of BNSS, 2023, and it is deemed expedient to quash the FIR in question. Reference in this context may be had to judgment rendered in the case of ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]***.

11. Accordingly, invoking inherent powers vested with this Court under



Section 528 of the BNSS, it is therefore deemed expedient to quash the FIR in question.

12. Consequently, the instant petition is thus allowed. FIR No. 391/2018 dated 12.11.2018 for the alleged offences under Sections 380, 406, 419, 420, 468, 471 of IPC, registered at Police Station Anand Vihar 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 22, 2025/SV