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

+ **W.P.(CRL) 1808/2025**

KAUSHAL BHARDWAJ

.....Petitioner

Through: Mr. Mandeep Kumar Sharma and
Ms. Poonam Sharma, Advs.
Petitioner in person.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC for
State with Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Advs.

SI Pardeep

Mr. Rakesh Mukhija, Ms. Priya Makhijha and
Ms. Suhani Gupta, Advs. for R-2.

R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

31.10.2025

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1. The instant petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioner praying for quashing of FIR No.765/2018 registered at Police Station – Mehrauli for the offences punishable under Sections 420/467/468/471/120B of the Indian Penal Code, 1860 (hereinafter "IPC").
2. The brief facts of the case are that the complainant (Hitesh Bhola) states that he is the owner of plot no. 386, Gali No. D-24, Chhattarpur Pahari, New Delhi, which he purchased in 2012. On 14.10.2018, he received



information that some labours had arrived on his plot and were preparing material to raise a wall. He went to the spot and found Kaushal Bhardwaj, i.e., the petitioner, present with 5-7 persons and getting the work of wall/construction done. When he objected, Kaushal claimed the plot to be his and allegedly showed fake documents and thereby attempted to forcibly occupy the plot using forged papers. complainant made a 100 call and police came, stopped the work and both parties were taken to the police station. Complainant alleges that the petitioner has prepared forged / fake documents of his property and tried to take illegal possession of the same and therefore the instant FIR came to be registered.

3. It is submitted that the petitioner and respondent no.2 have now settled their disputes amicably and are now moving forward towards a peaceful and harmonious future.

4. Compromise deed dated 15.04.2025 is on record and has been annexed as Annexure-B. *Qua* this deed, the respondent no. 2 has agreed to withdraw the case arising out of FIR No.765/2018 registered at Police Station – Mehrauli against the petitioner. In pursuance of the said deed, learned counsel for the parties jointly submit that the respondent no.2 has already paid the entire settled amount of ₹13,00,000/- to the petitioner.

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. Heard. Issue notice.

7. Learned APP for the State, who appears on advance notice, accepts notice and is opposed the prayer made by the petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties.



8. Heard learned counsel for the parties and perused the record.
9. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer, Police Station – Mehrauli. Respondent no. 2 is also present in the Court and has been identified by his counsel and the Investigating Officer.
10. On a query made by this Court, respondent no. 2 has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by him that the entire dispute has been amicably settled between the parties.
11. This Court takes note of the fact that despite the FIR having been registered in the year 2018, investigation has not culminated in a final report till date, and no confirmation has emerged from the investigating agency with regard to the alleged forgery or any other cognizable act attributed to the petitioner; even the FSL report, if any was requisitioned, has not been placed on record.
12. It appears from the record that the dispute itself was essentially civil in character, arising out of rival/competing documents of title relating to the very same parcel of land, and the parties appear to have been acting under *bona fide* belief on the strength of their respective documents.
13. Insofar as the civil *lis* is concerned, it has now been conclusively resolved in view of the aforementioned compromise deed dated 15.04.2025 and the consequences of that civil settlement have already been fully given effect to inter se the parties.
14. Continuation of criminal proceedings in respect of a seven-year-old FIR in such circumstances, when parties have reconciled, when neither the complainant nor the State presses opposition, and when the allegations have



not crystallised into any prosecutable material, would only perpetuate an adversarial situation rather than serve any useful purpose of criminal law.

15. Keeping in view the fact that the matter stands settled between the petitioner and respondent no.2 amicably without any pressure, no fruitful purpose would be served by keeping the matter pending, rather the same would create further acrimony between them.

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

17. 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.765/2018 registered at Police Station – Mehrauli for the offences punishable under Sections 420/467/468/471/120B of the IPC, and consequent proceedings emanating therefrom, are quashed *qua* the present petitioner.

18. The petition alongwith pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

OCTOBER 31, 2025/ar/ryp