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

+ **CRL.M.C. 5635/2025**

A P SAXENA

.....Petitioner

Through: Mr. Arjun Malik, Advocate with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Richa Dhawan, APP for the State
with SI Satyender Gulia, PS – S.J.
Enclave.
Complainant through V.C.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER
13.10.2025

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1. Petitioner herein seeks quashing of an FIR No.193/2016 dated 19.02.2016 for the alleged offences under Section 420, 406 of IPC, registered at P.S. Safdarjung Enclave (South), along with all the consequential proceedings arising therefrom, on the basis of a compromise between the parties.
2. Briefly speaking, the Complainant/Respondent No.2, in year 2014 at the instance of Petitioner, invested in a property-linked investment scheme offering 36% annual returns. While an initial return was paid, no further returns or repayment of the principal followed, leading to the registration of the present FIR alleging offences of cheating and criminal breach of trust.



3. Learned counsel for the petitioner submits that the parties, with a view to preserve harmony and peace between them, and with the intervention of family and friends, have amicably settled the matter before the learned Trial Court by way of Settlement for a sum of Rs. 5,11,000/- (Five Lakhs Eleven Thousand) *vide* a Settlement Agreement/ Order dated 01.06.2018.

3.1 Learned Counsel further submits that the dispute between the parties arose due to some serious misunderstanding.

3.2 Learned Counsel further submits that the entire payment as per the terms of settlement has been received by Respondent no.2.

3.3 Learned Counsel further submits that an affidavit of no objection to the quashing, duly deposed by Respondents no. 2, has also been placed on record. He further submits that Respondent no.2 does not wish to press any charges against the petitioner.

3.4 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, and would result in avoidable harassment of the petitioner. 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, she informs.

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

6. Complainant joins the proceedings through video conferencing. Upon a query by the Court with respect to the settlement, he unequivocally



submits that the matter has been settled of his own volition, without any pressure, inducement, or coercion from any quarter. He further states that in view of the settlement and upon subsequent realisation that the petitioner had no role in the alleged conspiracy to commit the offence of cheating as mentioned in the FIR, he does not wish to press any charges against Petitioner/Accused No.1.

7. Having interacted with the Respondent no.2 and considering the nature of the dispute, it is borne out that the matter is purely private and personal, arising from a financial transaction, and lacking any public or societal interest. Since the complainant does not wish to press charges against the petitioner and there is no incriminating material against them, the chances of conviction are almost negligible.

8. Given that the dispute, which seemed to have arisen from misunderstanding between the parties, has been resolved, continuing with criminal proceedings may serve no useful purpose. It would be a drain on judicial resources and abuse of the process of law, especially when dispute does not involve any public interest or interest of the society at large. Continuation of the proceedings, on the other hand, may result in hostility between the parties and defeat the very purpose of the settlement.

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, as it was purely a civil dispute. In light thereof, I am of the view that the petition deserves to be allowed on that count as well.

10. Quashing the FIRs would rather facilitate the parties in maintaining or restoring cordiality. Therefore, the proceedings deserve to be quashed in



the exercise of the inherent powers of the Court. Reference may be had to the judgement rendered in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]*** in this context.

11. Accordingly, invoking inherent powers vested with this Court under Section 528 BNSS, it is therefore deemed expedient to quash the FIR in question.

12. Consequently, the instant petition is thus allowed. FIR No.193/2016 dated 19.02.2016 for the alleged offences under Section 420, 406 of IPC, registered at P.S. Safdarjung Enclave (South) and further proceedings arising therefrom, are hereby quashed.

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

ARUN MONGA, J

OCTOBER 13, 2025

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