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

+ **CRL.M.C. 6577/2025**

M/S SAMIAH INTERNATIONAL BUILDERS LTD AND ORS

.....Petitioner

Through: Mr. Asghar Khan, Adv.

versus

STATE (NCT OF DELHI) AND ANR

.....Respondent

Through: Ms Richa Dhawan, APP for the State
Mr. Rinku Garg, Mr. Kunal Narang
and Mr. Prashant Dahiya, Adv. for
complainant/respondent no. 2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

16.09.2025

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1. Petitioners herein seek compromise quashing of an FIR No.72/2025 dated 25.01.2025 registered at Police Station New Friends Colony for the offences punishable under Sections 318(4) (Cheating) /316(2) (Criminal breach of trust) BNS, and all other consequential proceedings arising therefrom, on the basis of a compromise between the parties.
2. The complainant alleged that the petitioners induced him to invest in a project with assured returns; however, no construction took place, and the property was illegally transferred. It is further alleged that the petitioners repeatedly gave false assurances, forged documents, and made only partial payments, causing a total loss of approximately ₹1.80 crores.
3. Learned counsel for the petitioners submits that the parties have now amicably settled the matter *vide* Settlement/Compromise Deed dated 17.06.2025 without threat, pressure, coercion, or undue influence which is



placed on record (Annexure-4). He further submits that an affidavit of no objection to the quashing, deposited by respondent no. 2, has also been placed on record.

3.1 He further submits that Respondent No. 2 has no grievance against the Petitioner. In such circumstances, continuation of proceedings would serve no fruitful purpose, as there are no chances of successful prosecution or conviction. Reliance has been placed on *Gian Singh v. State of Punjab (2012) 10 SCC 303* and *Jagdish Channana v. State of Haryana, AIR 2008 SC 1968*.

4. In response to a Court query, counsel for both sides 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.

5. In the aforesaid backdrop, I have heard learned counsel for the petitioner and the respondent as well perused the material available on record.

6. The complainant/ respondent no. 2 is present in person. He has been duly identified by his counsel. Upon a Court query, he candidly submits that he has settled the dispute without any duress or coercion. He further states that, in view of the settlement, he does not wish to press any charges against the petitioners.

7. It transpires that the dispute arose out of certain money matters which resulted into registration of the FIR. Subsequently, the same has been settled to the satisfaction of the complainant. 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 the light thereof, I am of the view that the petition deserves to be allowed.



8. Having heard and considering the nature of the dispute, it appears to be private and personal, arising from a financial transaction, and lacking any public or societal interest. The matter, which seems to have arisen from misunderstandings between the parties, has since been amicably resolved.

9. Thus, continuation of criminal proceedings would serve no useful purpose, constitutes an abuse of the process of law, and place an unnecessary burden on the judicial system. In contrast, quashing the FIR in question would promote peace and harmony between the parties, particularly as the complainant does not wish to pursue the case further. Apart from this, I am also of the view that the allegations appear to be arisen out of civil dispute which are given colour of criminal culpability.

10. 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 (Supra)*.

11. The instant petition is thus allowed. The criminal proceedings arising out of FIR No.72/2025 dated 25.01.2025 registered at Police Station New Friends Colony for the offences punishable under Sections 318(4)/316(2) BNS and any further proceedings arising therefrom, are hereby quashed.

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

ARUN MONGA, J

SEPTEMBER 16, 2025

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