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

+ CRL.M.C. 7254/2025, CRL.M.A. 30436-30437/2025

SH. OM PARKASH CHANDNA

.....Petitioner

Through: Mr. Rahul Sharma and Mr. Navesh
Chaudhary, Advocates.

versus

THE STATE (N.C.T OF DELHI) & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
State with SI Rahul Kumar, PS-New
Friends Colony.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

31.10.2025

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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. 220/2020, registered at P.S. New Friends Colony for the offences under Sections 420/468/471 of the Indian Penal Code, 1860³ Delhi and all consequential proceedings emanating therefrom.

2. The case of the prosecution emanates from a complaint filed by Respondent No. 2, Director of M/s VNM Components Pvt. Ltd., alleging that the Applicant, in conspiracy with unknown persons, cheated and forged certain negotiable instruments belonging to the complainant company. It is

¹ "BNSS"

² "CrPC"

³ "IPC"



alleged that during the course of business dealings between the parties in 2014-2015, the complainant had issued three advance cheques to the Applicant towards payment for supply of fabrics. Owing to the delivery of substandard material, the complainant stopped payment on these cheques, and the matter was subsequently settled through RTGS payments made as full and final settlement. However, the Applicant allegedly failed to return the original cheques and, in connivance with others, forged and altered the dates thereon, from the year 2014 to 2017, and thereafter, presented the same for encashment. On the basis of this complaint, the subject FIR came to be registered.

3. Apart from the subject FIR, two separate complaints were also instituted by Respondent No. 2 against the Petitioner under Section 138 of the Negotiable Instruments Act, 1881.

4. During the pendency of these proceedings, Respondent No. 2 has resolved the dispute with the Petitioner and has decided not to pursue the present FIR against him. In this regard, the Complainant's statement was recorded in the aforesaid Negotiable Instruments Act cases on 21st August, 2025, wherein he affirmed that the matter had been amicably settled with the Petitioner and that he had agreed to withdraw all pending cases against him. Pursuant to the said settlement, the Petitioner paid a sum of ₹8,00,000/- to the Complainant towards full and final settlement, which amount has been duly accepted by the Complainant.

5. In view of the settlement, the Complainant, who appears before the Court in person and is identified by the Investigating Officer, unequivocally states that he does not wish to pursue the FIR proceedings. He confirms that his decision to settle the matter is voluntary and made without any undue



influence or coercion. He further confirms receipt of the full and final settlement amount from the Petitioner, as per the terms of the settlement executed between them. In light of the amicable resolution between the parties, the Petitioner seeks quashing of the subject FIR and all proceedings arising therefrom.

6. The Court has considered the submissions of the parties. While the offences under Sections 468 and 471 of IPC are non-compoundable, Section 420 of IPC is compoundable in certain cases, with the permission of the Court.

7. It is well settled that in the exercise of its inherent powers under Section 482 CrPC (now Section 528 BNSS), the Court may, in appropriate cases, quash proceedings in respect of non-compoundable offences if the parties have reached a genuine settlement and no overarching public interest is adversely affected. The Supreme Court in **Gian Singh v. State of Punjab & Anr.**⁴ has held as follows:

“11. As discussed above, offence punishable under Section 186/332/353 of the IPC are non-compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.

12. In view of the law discussed above, considering the Settlement arrived at between the parties and the statements of respondent no.1 & 2, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an an exercise in futility.”

[Emphasis added]

8. Further, in **Narinder Singh & Ors. v. State of Punjab & Anr.**,⁵ the

⁴ (2012) 10 SCC 303

⁵ (2014) 6 SCC 466



Supreme Court held as follows:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. **No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves.** However, this power is to be exercised sparingly and with caution.

29.2. **When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:**

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

[Emphasis Supplied]

9. The Complainant in the present case has categorically expressed his



unwillingness to pursue the matter further and has confirmed the settlement as voluntary and devoid of any coercion. Given this background, the continuation of criminal proceedings would amount to an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily. Having regard to the totality of circumstances, and in view of the legal principles laid down by the Supreme Court, this Court finds the present case to be an appropriate one for exercise of jurisdiction under Section 482 of the Cr.P.C. to secure the ends of justice.

10. In view of the foregoing, the present petition is allowed, and FIR No. 220/2020, P.S. New Friends Colony, as well as all consequential proceedings arising therefrom are hereby quashed.

11. The parties shall remain bound by the terms of settlement.

12. Accordingly, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

OCTOBER 31, 2025

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