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

+ CRL.M.C. 7344/2025 & CRL.M.A. 30815/2025 & CRL.M.A.
30816/2025

DHANESH SHARMA & ANR.

.....Petitioners

Through: Mr. Yash Thakur, Advocate

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

15.10.2025

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1. By way of the present petition, the petitioners are seeking quashing of FIR bearing no. 370/2014, registered at Police Station Shakarpur, Delhi for the commission of offences punishable under Sections 420/468/471/34 of Indian Penal Code, 1860 (hereafter 'IPC').

2. Brief facts of the case are that the complainant alleged that the accused, claiming to work in the Ministry of Home Affairs, assured him of a job and demanded ₹4,50,000/- as commission, of which ₹1,60,000/- was paid in advance. The accused handed over a forged appointment letter of the Ministry of Home Affairs and falsely represented that the complainant's joining had been completed, assuring that his salary would be paid soon. Despite repeated assurances, the alleged training at Lok Nayak Bhawan, Khan Market, never took place. The accused thereafter avoided phone calls



of the complainant and when the complainant located his residence at Maujpur, the accused's family assured repayment, however no payment was made till date.

3. The Learned counsel for the applicant argues that the dispute between the petitioners and respondent no. 2 has been amicably settled out of court, and therefore, no fruitful purpose would be served by continuing with the FIR and the consequent proceedings against the petitioners. It is submitted that respondent no. 2 has consented to cooperate in the quashing of the present FIR, and in furtherance of the settlement, he has already received a sum of ₹1,00,000/- before the learned Trial Court. The remaining amount of ₹30,000/- shall be paid to the complainant at the time of quashing of the FIR.

4. The learned APP for the State argues that the petitioner has forged an appointment letter purportedly issued by the Ministry of Home Affairs and the same was verified during the investigation. It is, therefore, submitted that the present case is not fit for quashing of the FIR.

5. This Court has heard arguments addressed on behalf of the applicant as well as the State, and has perused the material available on record.

6. This Court finds that the allegations against the present petitioners are that they had forged appointment letters purportedly issued by the Ministry of Home Affairs. During the course of the investigation, the Ministry of Home Affairs categorically informed that no such appointment letters were ever issued by it. The report of same was received from MHA with the observation that *"the signature of Section Officer Shri Prabhat Kumar Singh do not match with the signature available, in our official records. As such, the said letters appear to be false"*.



7. This Court is further of the view that in order to adjudicate the present case, it is crucial to weigh the competing interests and circumstances that have been brought to the knowledge of this Court. *Notably*, the accused, in the present case, has sought the quashing of criminal proceedings on the ground that an amicable settlement has been reached with the complainant. In this regard, while the principles governing the quashing of criminal proceedings on the basis of settlement are well-settled through the catena of judgments of Hon'ble Apex Court, it is equally important to scrutinize the nature and gravity of the specific alleged offences as well as the wider implications it may have.

8. At this juncture, this Court takes note of the observations of Hon'ble Apex Court in case of ***Parbatbhai Aahir v. State of Gujarat (2017) 9 SCC 641***, where while laying down principles for quashing of FIR in cases of settlement, following principles were laid down:

“15.(viii) Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute;

(ix) In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

(x) **There is yet an exception to the principle set out in propositions (viii) and (ix) above. Economic offences involving the financial and economic well-being of the state have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the**



balance.”

(emphasis added)

9. Furthermore, in *State of Maharashtra v. Vikram Anantrai Doshi (2014) 15 SCC 29*, the Hon’ble Supreme Court, in specific context of financial offences, had held as follows:

“...it is a social wrong and it has immense societal impact. It is an accepted principle of handling of finance that whenever there is manipulation and cleverly conceived contrivance to avail of these kind of benefits it cannot be regarded as a case having overwhelmingly and predominatingly of civil character. The ultimate victim is the collective. It creates a hazard in the financial interest of the society. The gravity of the offence creates a dent in the economic spine of the nation.”

10. Viewed against the above backdrop, coupled with a perusal of the material on record, this Court is of the opinion that a *prima facie* case is made out against the applicant herein and therefore, considering the fact that the offence of cheating in the present case is alleged to have been committed on the strength of the forged appointment letters issued by Ministry of Home Affairs, this court does not find it to be a fit case for quashing of the FIR.

11. Accordingly, the present petition, along with pending applications, stands dismissed.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 15, 2025/zp