



\$~57 [25.11.2025]

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 8412/2025, CRL.M.A. 35091/2025 & CRL.M.A.
35092/2025

CARIOT AUTO PRIVATE LIMITEDPetitioner

Through: *Appearance not given.*

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Hemant Mehla, APP for State.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
26.11.2025

[The matter has been taken up today as 25th November, 2025 was declared a holiday on account of 350th anniversary of "Guru Teg Bahadur's Martyrdom Day"]

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. 461/2025, registered under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023³ at P.S. Prashant Vihar and all consequential proceedings emanating therefrom.
2. The case of the prosecution against the Petitioner emanates from a complaint filed by Respondent No. 2, alleging that the Petitioner Company and its directors, sales executive, and staff, engaged in a fraudulent

¹ "BNSS"

² "CrPC"

³ "BNS"



transaction with the Petitioner, involving the sale of a pre-owned Hyundai Venue car. The Company, projecting itself as a reliable platform for purchasing verified used cars, induced the complainant into purchasing the vehicle. The Company's Sales Executive, Mr. Vishesh, gave assurances of the car's good condition, non-accidental history, and extended warranty, relying on which, the complainant paid ₹8,04,000/- for the car. However, he soon discovered severe defects and concealed accident history, including six prior accidents, inconsistencies in the inspection report, non-disclosure of pending challans, and discrepancies in the tax invoice issued. Despite repeated complaints, the Company allegedly evaded responsibility and failed to address the defects. Based on this statement, the subject FIR was registered.

3. During the pendency of the present proceedings, the Petitioner and the complainant entered into negotiations, culminating in the execution of a Memorandum of Settlement dated 10th November, 2025, a copy whereof is placed on record and duly perused by this Court. As per the terms of the settlement, the Petitioner Company has tendered an unconditional apology to the complainant, acknowledging the sale of an accidental vehicle as a "non-accidental" one. The Company has further agreed to pay a sum of INR 2,50,000/- to the complainant, who, in turn, has agreed to return the subject vehicle to the Petitioner-Company. The complainant has additionally agreed to withdraw the proceedings instituted before various forums and has consented to the quashing of the subject FIR.

4. The Complainant, who appears 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 MoU 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.

5. The Court has considered the submissions of the parties. The offence under Section 318(4) of the BNS is compoundable at the instance of the aggrieved parties. However, that does not debar the High Court from resorting to its inherent power under Section 528 of BNSS (formerly, Section 482 of Cr.P.C.) and pass an appropriate order so as to secure the ends of justice.

6. Having regard to the nature of the dispute and the fact that the aggrieved party has amicably settled the matter, this Court is of the view that continuation of the criminal proceedings would serve no useful purpose. In the circumstances, this is a fit case for exercise of jurisdiction under Section 528 of BNSS, as the continuance of proceedings would amount to an abuse of the process of law and impede the ends of justice.

7. In view of the foregoing, the present petition is allowed, and FIR No. 461/2025, P.S. Prashant Vihar as well as all consequential proceedings arising therefrom are hereby quashed.

8. However, since the State machinery was set in motion based on the impugned FIR, it is appropriate to impose costs on the Petitioner. Accordingly, the Petitioner is directed to deposit INR 10,000/- with the Delhi Police Welfare Fund, within a period of four weeks from today. Proof of deposit be submitted with the concerned IO.

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



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

SANJEEV NARULA, J

NOVEMBER 26, 2025/MK