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

+ **CRL.M.C. 130/2025**

DAMANPREET KAUR @ CHEENAPetitioner
Through: Mr. Vishal Kalra &
Mr. Rohit Bhardwaj,
Advs.
Petitioner (through VC)

versus

STATE OF DELHI & ANR.Respondents
Through: Mr. Naresh Kumar
Chahar, APP for the State
Inspector Satbir Singh, PS-
Jaitpur
Complainant (through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **11.08.2025**

CRL.M.A. 715/2025 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 130/2025 & CRL.M.A. 714/2025

3. The present petition is filed seeking quashing of FIR No. 651/2016 dated 14.11.2016, registered at Police Station Jaitpur, for the offence under Section 420 of the Indian Penal Code, 1860 ('IPC'), including all consequential proceedings arising therefrom.

4. It is alleged that the complainant wanted to convert a sum of ₹6,50,000/- into 100 rupees denomination notes and he was introduced to accused Hitesh *alias* Guddu for the said purpose by co-accused Darshan (father of the petitioner). On 14.11.2016, when the complainant met co-accused Hitesh at Lohia Bridge, he



gave the amount of ₹6,50,000/- to the said co-accused and received a green coloured bag. Allegedly, the complainant was told that the said bag contained the notes and he did not check the bag at that time as he trusted accused Hitesh, however, he later found that the green coloured bag contained a 100 rupee note on the top and the rest were just pieces of paper. This incident led to registration of the present FIR.

5. During the course of investigation, it was found that the petitioner was misleading the Police by telling incorrect address of accused Hitesh. On arrest, accused Hitesh further disclosed the involvement of co-accused persons Charan and Nasir in the offence.

6. Chargesheet has been filed in the present case against the accused Hitesh Kumar and Charan Das for the offences under Sections 420/120B of the IPC, and against the petitioner and the accused Nasir for the offence under Section 420 of the IPC.

7. At the outset, it is pointed out that on 06.02.2024, the complainant appeared before the learned Trial Court and his statement was recorded to the effect that he does not wish to pursue the matter and wishes to compound the same. Pursuant to the same, by order dated 06.02.2024, the learned Trial Court compounded the offence under Section 420 of the IPC.

8. It is submitted that since the offence under Section 120B of the IPC is non-compoundable, the petitioner has invoked the inherent jurisdiction of this Court for quashing of the FIR and the proceedings emanating therefrom as the petitioner apprehends that she will be tried for the offence under Section 120B of the IPC.

9. A reference is made to compromise deed dated 21.12.2024



whereby it has been agreed that Respondent No.2/ complainant will cooperate in quashing of the FIR. It is pointed out that all the accused persons are party to the said settlement and the settlement has been entered into between the parties out of their own will, without any force, coercion or pressure.

10. The petitioner and Respondent No. 2 are present through video conference.

11. On being asked, Respondent No.2 reaffirms that he does not wish to pursue the FIR and the proceedings arising therefrom, and he has no objection if the same is quashed.

12. I have heard the counsel and perused the record.

13. It is trite law that the offence under Section 120B of the IPC, which pertains to criminal conspiracy, is compoundable if the alleged conspiracy is to commit the offence of cheating, which itself is a compoundable offence. In the case of ***Jitender Rana v. State (NCT of Delhi) : 2007 SCC OnLine Del 222***, this Court had observed as under:

“4. Section 120-B of IPC is criminal conspiracy to commit an offence. Here in this case the allegations are of a criminal conspiracy to commit offence of cheating. When offence of cheating itself is compoundable, Section 120-B of IPC read with Section 420 of IPC becomes compoundable and the Court of Metropolitan Magistrate has power to allow the application for compounding of the offence of Sections 419, 420 read with Section 120-B of IPC. In all such cases where substantive offence itself is compoundable, Section 120-B read with it or Section 34 of IPC read with it, shall be compoundable.”

(emphasis supplied)

14. It is submitted that the matter is continuing before the learned Trial Court owing to the fact that the offence under Section 120B of the IPC has not been compounded as the learned Trial Court is also labouring under the erroneous assumption that



the offence under Section 120B of the IPC is non-compoundable.

15. Although the offence under Section 120B of the IPC is compoundable, this Court is of the opinion that no useful purpose would be served by keeping the matter pending or relegating the parties to the learned Trial Court for filing an application to compound the offence, when the complainant has affirmed that dispute is settled and he does not want the proceedings to continue.

16. Keeping in view the nature of dispute and that the parties have amicably entered into a settlement, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court.

17. However, keeping in mind the fact that the FIR was registered way back in the year 2016 and the State machinery has been put to motion, ends of justice would be served if the petitioner is put to cost.

18. In view of the above, FIR No. 651/2016 and all consequential proceedings arising therefrom are quashed, subject to payment of a total cost of ₹25,000/- by the petitioner, to be deposited with the Delhi Police Martyrs Fund, within a period of twelve weeks from date.

19. Let the proof of deposit of cost be submitted with the concerned SHO.

20. The present petition is allowed in the aforesaid terms.

21. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

AUGUST 11, 2025/“SS”