



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

234

CRM-M-24027-2025 (O&M)

Date of decision: 27.05.2026

YATISH KUMAR GOEL

.....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Ajaivir Singh, Advocate
for the petitioner.

Mr. Onkar Singh Wahla, Sr. DAG, Haryana.

Mr. Deepinder Singh Walia, Advocate
for respondent No.2.
(Through Video Conferencing).

VINOD S. BHARDWAJ, J. (Oral)

CRM-16862-2026

The present application has been filed for seeking preponement of the date of hearing of the main case which is otherwise fixed for 03.08.2026.

For the reasons mentioned in the application, the same is allowed and the main case is taken up on Board today itself.

CRM-M-24027-2025

1. This is a petition under Section 482 of the Code of Criminal

Procedure for quashing of FIR No. 244 of 2014 dated 19.06.2014 (Annexure P-1) registered under Sections 419/420/467/468/471/384 of IPC, PS Udyog Vihar, District Gurugram and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3) dated 05.02.2025 between the parties.

2. The present case arises out of Complaint No. 883Z dated 17.04.2014 lodged by Lalit Gupta, Managing Director of Spectra Televentures Private Ltd., 617, Udyog Vihar, Phase V, Gurgaon alleging that he, his wife Bindu Gupta and employee Vineet Jain received forged notices purportedly issued under Section 160 Cr.P.C. by one “C.K. Sharma, SI Crime Branch, Delhi” in connection with a criminal complaint registered at Police Station Urla, Raipur. The notices alleged cheating to the tune of Rs.38 lakhs and required their appearance before the alleged police official. The complainant asserted that neither did he know the Dina Thakur nor did his company have any business dealings within the jurisdiction of Police Station Urla, Raipur. Upon enquiry, he could not trace any such police official and suspected that some mischievous person was attempting to harass and extort money from him while tarnishing the reputation of his company. Suspicion was expressed against Yatish Kumar Goel, Advocate, who had earlier handled the legal work of the company and had made enquiries regarding Dina Thakur. During investigation, offences under Sections 419, 420, 467, 468, 471 and 384 IPC were found to be made out. The complainant joined investigation and produced the original notices, envelopes and exchanged emails, which were seized by the Investigating Agency. Verification from the Office of the Assistant Commissioner (HQ),

Crime Branch, Delhi confirmed that no officer namely C.K. Sharma had served in the Crime Branch during the relevant period. Investigation further revealed that the courier consignments through DTDC and Blaze Flash Courier had been booked in January 2014 and the relevant records were seized. CDRs and CAF details of mobile numbers linked with accused Yatish Kumar Goel were obtained, along with his bank account opening documents. The accused joined investigation pursuant to interim bail orders and also produced certain emails during investigation. Specimen signatures and handwriting of the accused were obtained under orders of the Court and sent to FSL Madhuban for comparison. The investigation was subsequently transferred between different investigating officers. The Hon'ble High Court cancelled the bail of the accused for non-compliance with directions regarding specimen signatures, whereafter the Hon'ble Supreme Court directed him to furnish the same. After completion of investigation, the police concluded that sufficient evidence existed against the accused and accordingly prepared and forwarded the challan to the trial Court, while reserving liberty to place the FSL report on record upon receipt.

3. It is however averred that with the intervention of the respectables from both sides, the matter has now been settled and amicably resolved. It is further averred that the compromise amongst the parties was effected on account of free will and without any pressure and coercion. Hence, present petition.

4. Pursuant to the order dated 06.05.2025, 27.05.2025 and 28.07.2025, a report has been received from the Judicial Magistrate 1st Class, Gurugram vide Memo No. 571 dated 20.10.2025. The relevant extract of the

report reads thus:-

***“As regard to the point no. 1:-** As per the report/statement of IO/PSI Ashwani Kumar, there is only one accused person in the present FIR.*

(Report/statement annexed).

***As regard to the point no. 2:-** No proceedings of "PO" is pending against the accused, as per report obtained from I.O. (Report/statement annexed).*

***As regard to the point no. 3:-** The statement of the complainant Lalit Gupta and the accused person Yatish Kumar S/o Rajender Kumar Goel were recorded. In their respective statements, they stated that the compromise is genuine, voluntarily and without any coercion or undue influence and they have no objection if the present FIR are quashed. (Report/statement annexed).*

***As regard to the point no. 4:-** As per the report/statement of IO/PSI Ashwani kumar, accused person is not involved in any other FIR. (Report/statement annexed).”*

5. The broad principles governing the exercise of powers under Section 482 of the Code of Criminal Procedure were summarized by the Hon'ble Supreme Court in the matter of '**Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another**' (2017) 9 SCC 641' wherein it was held as under:

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.

16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.

16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.

16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.

16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. 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.

16.9. 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

16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. 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.

6. On consideration of the above, the following relevant factors emerge for supplementing a case for invocation of the powers under Section 528 of BNSS, 2023:-

- a. It is established from the report of Judicial Magistrate First Class, Gurugram that a compromise has been effected

voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.

- b. The dispute relates to the issuance of forged notices under Section 160 Cr.P.C., allegedly sent in the name of a fake Crime Branch official, with the object of harassing, intimidating and allegedly extorting the complainant and his associates by falsely implicating them in a criminal case..
- c. Petitioner is a 46 year old Advocate by profession and continued incarceration in a criminal case will cause severe repercussions to the petitioner in discharge of his social obligation as well as at his work place.
- d. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of the society. It can also not be termed as one shocking to the conscience of the Court;
- e. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and would only result in a waste of judicial time.

7. In view of the report submitted by the Judicial Magistrate First Class, Gurugram and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR No. 244 of 2014 dated 19.06.2014 (Annexure P-1), registered under Sections 419/420/467/468/471/384 of IPC, at PS Udyog Vihar, District Gurugram and all other consequential proceedings arising therefrom

are hereby quashed in view of the compromise dated 05.02.2025 (Annexure P-3) subject to the petitioner depositing a costs of **Rs. 1,00,000/-** with the ***“DHFWS SKS USERFEES CS OFFICE, PKL, Account No. 50100189689492, HDFC0004832, HDFC Bank, Sector-6, Panchkula”***, within a period of two months of receipt of certified copy of this order. However, the same would be subject to furnishing an undertaking of maintaining peace and harmony for a period of one year. It is made clear that in the event of breach of the condition, the State would be at liberty to seek revival of the present petition and seek recall of the order.

Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

MAY 27, 2026
Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No