



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-46797-2025(O&M)

Date of decision: 12.01.2026

Sudhir Tripathi

...Petitioner(s)

VERSUS

State of Haryana and another

...Respondent(s)

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

Present :- Mr. Sanjeev Majra, Advocate for the petitioner.

Mr. Onkar Singh Wahla, Sr. DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for seeking quashing of FIR No.06 dated 09.01.2025 registered under Section(s) 318(4), 61 of the Bharatiya Nyaya Sanhita (BNS), 2023 registered at Police Station Cyber Crime Karnal, District Karnal alongwith all the consequential proceedings arising therefrom, on the basis of compromise dated 19.08.2025 (Annexure P-2).

2. Briefly summarized, the facts of the present case are that the respondent-complainant Praveen Kumar Johar works in Manipal Saugna and also trades in the stock market. One day, he received a call from the petitioner, who exhorted the former to watch and follow his videos daily. Thereafter, the petitioner offered to teach online trading to the complainant for a fee of Rs.25,000/- per month. The petitioner then gave his account number and the complainant deposited the fees in the said account.



However, the complainant did not receive any link and on the pretext of fixing the technical issue, the petitioner asked the username and password of his trading account on Dhan Trading App. The complainant gave the required details to the petitioner; however, the latter took advantage of the same and invested Rs. 2,00,000/- from his trading account in option trading, thereby causing a loss of Rs.1,20,000/- to the complainant. The complainant asked the petitioner to return his money along with interest but the petitioner did not comply and went on to block the complainant's number. Thus, the present FIR came to be registered against the petitioner.

3. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 02.09.2025 of this Court, to get their statements recorded regarding the compromise arrived at between the parties and a report in this regard was called for.

4. Pursuant to the said order, report has been received from the Judicial Magistrate 1st Class, Karnal vide Memo No. 162 dated 12.11.2025.

The relevant extract of the report is reproduced as under:-

“(i) Total number of persons found involved as accused in the dispute/ FIR?”

Ans. As per the statement of ASI Devender 1798, P.S. Cyber Crime, Karnal, there was only one accused namely- Sudhir Tripathi.

(ii) Number of complainant/victim(s)?



Ans. As per the statement of ASI Devender 1798, P.S. Cyber Crime, Karnal, there was only one complainant namely- Parveen Kumar Johar.

(iii) Whether all the accused and complainant/victims are party to compromise and signed the same?

Ans. As per the statement of IO accused and complainant/victims are party to the compromise and have signed the same

(iv) In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof,

Ans. No other person is left out.

OR

His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person;

Ans. No statement of any other person is left to be recorded.

(v) Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication;

Ans. No, as per the statement of IO, the accused has never been declared as proclaimed offender in any case.

(vi) Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;

Ans. Yes, the compromise between the parties is valid and genuine and has been effected voluntarily without any coercion or undue influence.



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(vii) *Any other aspect relevant to the present case.*

Ans. No.”

5. Learned State counsel does not dispute the factum of the compromise amongst the parties and does not have any serious objection to the resolution of the dispute amongst the parties.

6. There is no representation on behalf of respondent No.2, however, the factum of compromise stood admitted by him on 02.09.2025 and he had given his concurrence to the FIR and all other consequential proceedings being quashed and affirmed during statement before the trial Court.

7. The broad principles for exercising the powers under Section 482 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'. The relevant paragraphs are extracted as under:

“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.”

8. The Hon'ble Supreme Court has held in '**Ramgopal And Another Vs State of Madhya Pradesh**, 2021 SCC Online SC 834', that the matters which can be categorized as personal in nature or in the matter in which the nature of injuries do not exhibit mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

9. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings is likely to be a waste of judicial time and there appears to be no chances of conviction.

10. The following relevant factors emerge from perusal of the case as well as the subsequent developments supplementing a case for invocation



of the powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

- i) *The dispute is primarily monetary in nature and the complainant has alleged that the petitioner defrauded him and caused him a loss of Rs.1,20,000/-..*
- ii) *Petitioner is of 23 years of age and continued criminal incarceration will cause severe repercussions to the petitioner in discharge of his social obligations as well as in his work place.*
- iii) *The FIR in question pertains to the year 2025 and the proceedings are at an early stage.*
- iv) *The offence in question cannot be said to be heinous or as an offence that would shock the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;*
- v) *Continuation of the proceedings with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and only result in futile expenditure of judicial time.*

11. In view of the report of the Judicial Magistrate 1st Class, Karnal and the principles laid down by the Apex Court in '**Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another**' (2017) 9 SCC 641', the instant petition is allowed. FIR No.06



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dated 09.01.2025 registered under Section(s) 318(4), 61 of the Bharatiya Nyaya Sanhita (BNS), 2023 registered at Police Station Cyber Crime Karnal, District Karnal alongwith all the consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) in view of compromise dated 19.08.2025 (Annexure P-2). However, the same would be subject to payment of costs of Rs.25,000/- to be deposited by the petitioner with the DHFWS SKS USERFEES CS OFFICE, PKL, Account No.50100189689492, IFSC Code: HDFC0004832, HDFC Bank Sector-6, Panchkula within a period of two month(s) from receipt of certified copy of this order.

12. Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

12.01.2026

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No