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

+ **CRL.M.C. 1423/2026**

SHAILESH KUMAR RAI

.....Petitioner

Through: Mr. Harsh Tomar, Advocate
alongwith petitioner in person

versus

STATE (GOVT OF NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
the State
Mr. Paras Punyani, Advocate for R-2
alongwith R-2 in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **19.02.2026**

CRL.M.A. 5708/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 1423/2026

3. By way of the present petition, the petitioner seeks quashing of FIR bearing no. 482/2018, registered at Police Station Shalimar Bagh, Delhi, for commission of offence punishable under Section 174A of Indian Penal Code, 1860 (hereafter 'IPC').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. The petitioner and respondent no. 2 are present before this Court and



have been identified by their counsel and Investigating Officer (IO) from Police Station Shalimar Bagh, Delhi.

6. Brief facts of the present case are that respondent no. 2 had filed a complaint under Section 138 of the Negotiable Instruments Act, 1881 (hereafter '*NI Act*') against the petitioner and other accused persons in the year 2016 on account of dishonour of cheque, which was finally disposed of on 19.05.2025 on the basis of compromise. During the pendency of the said proceedings, the petitioner could not appear before the learned Trial Court and was declared an absconder *vide* order dated 21.06.2018, pursuant to which the present FIR came to be registered. Upon completion of investigation, charge-sheet was filed and the petitioner has since been summoned. It is stated that the petitioner has paid the entire settlement amount to the complainant and, pursuant thereto, separate statement of the complainant was recorded before the learned JMFC, leading to disposal of the matter. It is further stated that the petitioner has duly joined the investigation and was granted anticipatory bail by the Sessions Court *vide* order dated 31.01.2025.

7. It is stated that the case under Section 138 of N.I. Act has been settled/compounded between the parties on 19.05.2025, before the concerned Court, however, due to offence under Section 174A of IPC being non compoundable, the present matter cannot be put to quietus. Therefore, the petitioner is before this Court for quashing of FIR to the limited extent of offence punishable under Section 174A of IPC.

8. On a query made by this Court, respondent no. 2 who has been identified by the IO, has categorically stated that he has entered into compromise out of his own free will and without any pressure, coercion or



threat. It is also stated by respondent no. 2 that the entire dispute has been amicably settled between them *vide* order 19.05.2025. Respondent no. 2 further states he has no objection if the present FIR is quashed.

9. In view of the above fact that the parties have amicably resolved their differences out of their own free will, and without any coercion, no useful purpose will be served by continuing the proceedings, rather the same would create further acrimony between them. It would thus be in interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

10. Accordingly, FIR bearing no. 482/2018, registered at Police Station Shalimar Bagh, Delhi, for commission of offence punishable under Section 174A of IPC and all consequential proceedings emanating therefrom are quashed.

11. However, since the matter has been pending for the last 07 years and considering the fact that the petitioner herein was arrested after five years, a cost of Rs. 25,000/- is imposed upon the petitioner which will be used in the form of donating educational books to the library of a Government school situated in the vicinity of his residence, after ascertaining from the Principal/Head of the concerned school or institution the nature and requirement of books needed for the school library, so as to ensure that the books donated are relevant and beneficial to the students. The said exercise shall be completed within a period of three weeks from date and the compliance of the same shall be filed with the Registrar General of this Court. In case of non-compliance, the matter shall be listed before this Court by the Registry.

12. In view of above, the present petition stands disposed of.



13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 19, 2026/ns

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