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

+ **CRL.M.C. 1048/2025**

SHITIZ SHARMA AND ANR

.....Petitioners

Through: Mr. Surya Nath Pandey, Mr.
Ravinder Kumar and Ms. Pooja
Kumari, Advocates.

versus

**THE STATE GOVT OF NCT OF
DELHI AND ANR**

.....Respondents

Through: Ms. Manjeet Arya, APP with SI
Devender Yadav, PS Vikas Puri.
R2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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09.02.2026

1. The petitioners have filed this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking quashing of FIR No. 53/2016 dated 11.01.2016, registered at Police Station Vikaspuri, District West, New Delhi, under Sections 420/467/468/471/34 of the Indian Penal Code, 1860 ["IPC"], and all proceedings emanating therefrom, on the ground of settlement.

2. The FIR was registered at the instance of respondent No. 2 against three accused persons, namely the petitioners herein and one Naveen Sharma. It is alleged that petitioner No. 2 and Naveen Sharma introduced



respondent No. 2 to petitioner No. 1, who represented himself as the owner and in lawful possession of a property situated in Village Nawada, New Delhi. Acting on such representations and assurances, respondent No. 2 agreed to purchase the said property for a consideration of Rs.7,70,000/-, pursuant to which an Agreement to Sell and other conveyance documents were executed in his favour. However, physical possession of the property was not handed over to Respondent No. 2, and it was subsequently discovered that the Government of National Capital Territory of Delhi had imposed a ban on the registration of sale deeds in respect of the area in which the property was situated.

3. Upon completion of the investigation, a chargesheet was filed against the aforesaid persons. The present petition, however, concerns only the petitioners herein, as the proceedings against the co-accused, Naveen Sharma, stand abated due to his death on 20.02.2022.

4. The parties have since amicably resolved their disputes, as recorded in a Compromise Deed dated 12.05.2017. In light of the aforesaid, the parties seek quashing of the impugned FIR.

5. The petitioners are present in Court, and have been identified by their learned counsel as well as by the Investigating Officer. Respondent No. 2 is present in person, and has been identified by the Investigating Officer. Respondent No. 2 is appearing in person and has declined the assistance of counsel, including legal aid counsel.

6. The settlement records that the parties have settled their disputes for a sum of Rs.1,50,000/-, payable by the petitioners to Respondent No. 2. Respondent No. 2 acknowledges receipt of the said amount.

7. Notwithstanding the allegation of forgery, Ms. Manjeet Arya,



learned Additional Public Prosecutor, submits that no public documents have been forged, and that the allegedly forged documents have not been presented before any public office.

8. The parties also confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

9. Although the offences under Sections 467, 468, and 471 of the IPC are non-compoundable, the Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected.

10. The Supreme Court, in *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], has held as follows:

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal



sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”

[Emphasis supplied.]

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], the Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read as under:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which



involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

[Emphasis supplied.]

11. The present case arises out of a property transaction that has since been settled between the parties for a monetary consideration. Although there is an allegation of forgery, it is not related to a public document, or to any document presented to a public officer. The dispute does not involve any element of public interest or heinous criminality. This, in my view, is a fit case in which the inherent powers of this Court may be exercised to quash the FIR in question. As respondent No. 2 has affirmed the voluntary nature of the settlement, it is also unlikely that further proceedings would result in any conviction. Continuation of criminal proceedings pursuant to the impugned FIR would, therefore, be an unnecessary diversion of judicial resources.

12. Having regard to the above discussion, the petition is allowed, and FIR No. 53/2016 dated 11.01.2016, registered at Police Station Vikaspuri, District West, New Delhi, under Sections 420/467/468/471/34 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby



quashed.

13. The parties will remain bound by the terms of the settlement.

14. The petition stands disposed of.

PRATEEK JALAN, J

FEBRUARY 9, 2026/‘pv/KA’/