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

+ CRL.M.C. 2082/2026 & CRL.M.A. 8591/2026, CRL.M.A. 8592/2026

KANWAR LAMBA

.....Petitioner

Through: Mr. Ranveer Dahiya & Mr. Rahul Lakhera, Advocates.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondent

Through: Mr. Aashneet Singh, APP for State.

Insp. Mukesh Kumar, PS Cyber, Dwarka

R-2 and R-3 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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20.03.2026

1. The petitioners have instituted the present 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. 127/2025 dated 12.12.2025, registered at Cyber Police Station, Dwarka, under Section 66C of the Information Technology Act, 2000 ["IT Act"], together with all proceedings arising therefrom, on the basis of a settlement between the parties.

2. Issue notice. Mr. Aashneet Singh, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent Nos. 2 and 3 are present in person and state that they do not wish to avail the assistance of counsel.



3. The petitioner, present in Court, has been identified by his counsel as well as by the Investigating Officer. Respondent Nos. 2 and 3, who are also present in Court, have been duly identified by the Investigating Officer.

4. The petition is taken up for disposal with the consent of learned counsel for the parties.

5. The impugned FIR arises from a complaint made by respondent No. 2 alleging that an unknown person created a fake Facebook profile using his photographs and personal information without consent, thereby impersonating him and his partner [respondent No. 3 herein], and used the said account to send unsolicited and misleading messages, resulting in harassment and reputational harm. It is stated that the petitioner had no knowledge of the creation of the alleged fake Facebook ID, and that he came to know of the same only upon receipt of a notice dated 07.01.2026 issued by the Cyber Police, Dwarka, directing him to join the investigation and appear on 08.01.2026, wherein it was alleged that his IP address had been traced in connection with the creation of the said account. It is further informed that the said profile has since been taken down.

6. Although there is no formal settlement agreement between the parties, the settlement is nonetheless evident from the affidavit of no objection filed by respondent No. 3, which is on record, as well as from the statement of respondent No. 2, which has been recorded before the Court today. Learned counsel for the parties further confirm that the settlement has been arrived at voluntarily, without any coercion or undue influence.



7. In light of the aforesaid, parties seek quashing of the impugned FIR.
8. The Supreme Court has consistently held that, in appropriate cases, the High Courts may, in exercise of their inherent powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973), quash criminal proceedings, including in respect of non-compoundable offences, on the basis of a genuine settlement between the accused and the complainant, particularly where the dispute is essentially private in nature and no overriding public interest is adversely affected.
9. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ 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,

¹ (2012) 10 SCC 303.



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.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, 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.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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.”⁴

10. The present petition arises out of a dispute concerning a single Facebook profile, which has since been taken down, and does not involve any element of public interest or heinous criminality. The matter is, therefore, purely private in nature. Applying the principles laid down by the Supreme Court, it is evident that respondent Nos. 2 and 3 have unequivocally confirmed before the Court that the settlement between the parties is voluntary. In these circumstances, the continuation of the criminal proceedings is unlikely to result in a conviction and would serve no useful purpose, amounting to a mere formality, while unnecessarily burdening the criminal justice system and consuming public resources.

11. Having regard to the foregoing discussion, the petition is allowed, and FIR No. 127/2025 dated 12.12.2025, registered at Police Station

⁴ Emphasis supplied.



Cyber, Dwarka, under Section 66C of the Information Technology Act, 2000, alongwith all consequential proceedings arising therefrom, is hereby quashed.

12. The parties shall remain bound by the terms of the settlement.
13. The petition accordingly stands disposed of.

PRATEEK JALAN, J

MARCH 20, 2026
'pv'/SD/