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

+ **CRL.M.C. 3650/2026 & CRL.M.As. 14828-30/2026**

AMAR CHAND JAIN

.....Petitioner

Through: **Ms. Purnima Jain, Advocate.**

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: **Ms. Manjeet Arya, APP.**

**Ms. Shivpa Taneja, Advocate for
R-2.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% 11.05.2026

1. The present petition has been filed 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. 330/2014 dated 01.11.2014, registered at Police Station Kamla Market, Delhi under Section 63 of the Copyright Act, 1957, along with all consequential proceedings emanating therefrom, on the ground that the parties have amicably settled their disputes.
2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Ms. Shivpa Taneja, learned counsel, accepts notice on behalf of respondent No. 2.
3. The petitioner is present in person and is identified by his learned counsel, as well as by the Investigating Officer. Respondent No. 2 is also



present in person and has been identified by learned counsel and the Investigating Officer.

4. The petitioner and respondent No.2 are members of the same family. The impugned FIR came to be registered at the instance of respondent No. 2 against the petitioner. The dispute arises in relation to allegations that the petitioner, operating a shop under the name Padmini Industrial Products at Shop No. 4038, Ajmeri Gate, Delhi-6, alongwith certain other persons, was allegedly engaged in the sale of goods under the brand name “Jyoti”, which are claimed to be duplicate products of Jyoti Rubber Industries India Limited, thereby giving rise to allegations of trademark infringement and causing loss to the said company.

5. Upon completion of the investigation, a chargesheet came to be filed in the matter, whereupon charges under Section 103 and 104 of the Trade Marks Act, 1999.

6. During the pendency of the proceedings, the parties amicably resolved their disputes, which settlement was reduced into writing by way of a Compromise Deed dated 08.11.2014. The said settlement was arrived at without any monetary consideration between the parties.

7. In light of the aforesaid, the parties seek quashing of the impugned FIR.

8. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

9. The Supreme Court has consistently held that, in appropriate cases, the High Courts may, in exercise of their inherent powers under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], quash criminal proceedings even in respect of non-compoundable offences on



the basis of a settlement arrived at between the accused and the complainant, particularly where no overriding public interest is adversely affected. In this regard, reference may be made to the decision of the Supreme Court in *Gian Singh v. State of Punjab and Anr.*¹, which 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.”²

¹ (2012) 10 SCC 303.

² Emphasis supplied.



Further, in *Narinder Singh and Ors. v. State of Punjab and 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.

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

³ (2014) 6 SCC 466.



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 case emanates from a commercial dispute, which arose between members of the same family. The dispute pertains to the year 2014 and was amicably resolved between the parties, within eight days of registering the FIR, by way of the Compromise Deed dated 08.11.2014. A considerable period of time, i.e. more than a decade, has since elapsed, and continuation of the criminal proceedings at this stage would serve no useful purpose and would only perpetuate animosity between family members who have already resolved their disputes amicably. In these circumstances, I am of the view that it is a fit case for exercise of inherent jurisdiction of this Court under Section 528 of the BNSS. Continuation of the proceedings arising out of the impugned FIR would, therefore, result in an unnecessary burden on judicial resources and would not subserve the ends of justice.

11. Further, a coordinate Bench of this Court in *Sanjay Sethi v. State (NCT of Delhi)*⁵ has recently quashed the FIR and all consequential proceedings arising therefrom in respect of alleged offences under Section 63 of the Copyright Act, 1957, thereby reaffirming the settled position of law governing such prosecutions.

12. However, Ms. Arya submits that, considering the nature of the allegations involved in the present case and the fact that the criminal machinery has been set into motion and kept in operation for a considerable period of time, the petitioners may be directed to deposit

⁴ Emphasis supplied.



costs, as a condition for grant of relief sought herein.

13. Having regard to the above discussion, the petition is allowed. FIR No. 330/2014 dated 01.11.2014, registered under Section 63 of the Copyright Act, 1957 at Police Station Kamla Market, Delhi, alongwith all consequential proceedings arising therefrom, is hereby quashed, subject to the payment of costs of Rs. 25,000/- by the petitioner to the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338; IFSC Code: UCBA0001553; UCO Bank, Delhi High Court Branch]. The said costs shall be paid within two weeks from today, and proof of such deposit shall be filed within one week thereafter.

14. The parties shall remain bound by the terms of the settlement.

15. The petition, accordingly, stands disposed of.

PRATEEK JALAN, J

MAY 11, 2026

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⁵ 2026 SCC OnLine Del 1425.