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

\# **CNR No. DLHC010510562026**

\+ CRL.M.C. 7981/2026, CRL.M.A. 33320-33321/2026
SH DEEPESH BHARGAVA .....Petitioner
Through: *Appearance not given.*

versus

STATE OF DELHI AND ORS .....Respondents
Through: Mr. Shoaib Haider, APP for State.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 27.10.2026

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] seeks quashing of FIR No. 0276/2016 dated 23rd June, 2016, registered at P.S. Paschim Vihar, West Delhi under Sections 420/406/468/471 of the Indian Penal Code, 1860 ["IPC"], and all consequential proceedings emanating therefrom.

2. The prosecution case is that the Petitioner entered into an agreement to sell DDA Flat No. 1268, First Floor, Sector-A, Pocket B, Vasant Kunj, New Delhi, with the Complainant/Respondent No. 3, Mr. Gajender Singh, for a consideration of INR 1.5 crore. Respondent No. 3 allegedly paid INR 15 lakh as earnest money. The complaint alleges that the Petitioner represented himself as the owner of the flat, although the property was allegedly owned by his father. The Petitioner is further alleged to have failed to fulfil the agreement or refund double the earnest money as per the agreement, despite legal notices. On this basis, the Petitioner initiated

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proceedings, pursuant to which the FIR got registered, and a chargesheet was subsequently filed for the aforesaid offences.

3. The parties state that they have amicably settled their dispute out of court. Pursuant to the settlement, the Petitioner paid INR 5 lakh to Respondent No. 3 towards full and final settlement of their dispute.

4. The record reflects that, on 7th March, 2024, the Civil Court recorded the separate statements of the parties in Civil DJ No. 93/2019, titled *Gajender Singh v. Deepesh Bhargava*, wherein both parties affirmed that the settlement was voluntarily. Respondent No. 3 also acknowledged receipt of the settlement amount of INR 5 lakh. The Civil Court thereafter dismissed the suit as withdrawn, recording that the matter stood settled and fully satisfied. Respondent No. 3 has also furnished a No Objection Certificate expressing his consent to the quashing of the subject FIR and the proceedings emanating therefrom.

5. The Complainant/Respondent No. 3, appearing through the Video Conferencing mechanism, duly identified by the IO, confirms the settlement. He acknowledges receipt of the settled amount and states that he has no surviving grievance against the Petitioner. He further expresses no objection to the quashing of the FIR and the consequential proceedings. The parties jointly seek quashing of the subject FIR and the proceedings emanating therefrom.

6. The Court has considered the submissions of the parties. While the offences under Sections 468/471 IPC are non-compoundable, the offences under Sections 420/406 IPC are compoundable in certain cases.

7. It is well settled that the power of the High Court under Section 482 of the Code of Criminal Procedure, 1973 [corresponding to Section 528

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BNSS] to quash criminal proceedings is distinct from the power of compounding under Section 320 CrPC. This power may be exercised even in cases involving non-compoundable offences where the parties have settled the matter. However, the power is to be exercised sparingly and with caution. The guiding considerations are whether such exercise would secure the ends of justice or prevent abuse of the process of the Court. While exercising this power, the Court must have due regard to the nature and gravity of the offence and the circumstances of the case. In ***Narinder Singh & Ors. v. State of Punjab & Anr.***[1], the Supreme Court has reiterated these principles and held that, in appropriate cases, the Court may quash the proceedings where, having regard to the settlement, the possibility of conviction is remote and bleak and continuation of the criminal proceedings would serve no useful purpose.

8. The allegations in the present case arise from a transaction between the Petitioner and Respondent No. 3 concerning the sale of immovable property. The Court is conscious that the allegations under Sections 468 and 471 IPC concern forgery and the use of forged documents and cannot be treated as purely private merely because the parties have settled their dispute. However, having regard to the nature of the underlying transaction, the settlement reached between the parties and the payment of INR 5 lakh to the Complainant/Respondent No. 3, who no longer wishes to pursue the matter, this Court is of the view that the possibility of conviction is remote and bleak. In these circumstances, continuation of the criminal proceedings is unlikely to serve any useful purpose.

9. The Complainant/Respondent No. 3 has confirmed before this Court

[1] (2014) 6 SCC 466.

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that the settlement is voluntary and was arrived at without coercion or undue influence. He has also expressed no objection to the quashing of the FIR and the consequential proceedings.

10. In view of the totality of the circumstances and the principles laid down by the Supreme Court, this Court considers it appropriate to exercise its jurisdiction under Section 528 BNSS to secure the ends of justice.

11. The present petition is, accordingly, allowed. FIR No. 0276/2016 dated 23rd June, 2016, registered at P.S. Paschim Vihar, West Delhi, and all consequential proceedings emanating therefrom, is hereby quashed.

12. However, since the State machinery was set in motion on account of the subject FIR, it is appropriate to impose costs on the Petitioner. Accordingly, the Petitioner is directed to deposit INR 5,000/- with the Delhi Police Welfare Fund, within a period of four weeks from today. Proof of payment be deposited with the concerned IO within two weeks thereafter.

13. The petition is disposed of in the above terms.

SANJEEV NARULA, J

OCTOBER 27, 2026
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