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

\# **CNR No. DLHC010531112026**

\+ CRL.M.C. 8257/2026 & CRL.M.A. 34607/2026

VISHAL BAJAJ AND ANR. .....Petitioners

Through: Mr. Pranav Rishi with Mr. Mohd. Bilal, Mr. Gaurav Mishra and Mr. Hardik Bedi, Advocates with petitioners in person.
(M): 9873311087
Email: pranav.rishi@gmail.com

versus

STATE NCT OF DELHI AND ORS. .....Respondents

Through: Mr. Ajay Vikram Singh, APP for the State.
(M): 9868632122
Email: ajayvikramsingh563@gmail.com
Mr. Saurav Seth, Advocate for respondent no. 2.
(M): 9871332558
Email: Saurav.seth.ss@gmail.com
Respondent no. 2 (Through VC)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% 03.11.2026

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") corresponding to the Section 482 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking quashing of the First Information Report ("FIR"), being *FIR No. 46/2020*, dated 20th

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February, 2020, registered at Police Station ("PS") Special Cell (SB), Delhi, under Sections 419/420 of the Indian Penal Code, 1860 ("IPC"), and all consequential proceedings emanating therefrom, on the ground of settlement between the parties.

2. Issue Notice.

3. Notice is accepted by the learned Additional Public Prosecutor ("APP") for the State as well as by the learned counsel appearing for respondent no. 2.

4. The parties, i.e., the petitioners as well as respondent no. 2 are present before this Court, and are duly identified by their respective counsels as well as the Investigating Officer ("IO"), who is also present before this Court.

5. The captioned petition is taken up for disposal with the consent of the parties.

6. The relevant facts for the adjudication of the captioned petition, culled out from the documents on record, are as follows:

6.1. On 14th February, 2020, an email was received from the person, namely, Shrilaxmi Shrikar Shabhag, i.e., the complainant, alleging that she had been cheated through a fraudulent telephone call by a person impersonating as an official of the United Kingdom ("UK") Immigration. The caller identified himself as Jay Thomason and informed the complainant that there were discrepancies in the respondent no. 2 immigration documents, and threatened her that she would be deported and her husband would lose his employment and face imprisonment.

6.2. As per the complaint, the caller was in possession of the complainant's personal information and demanded a sum of Rs. 2,00,000/- (Rupees Two Lac only) towards bail, representing that the amount was required to secure their release and removal of the alleged arrest warrants.

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6.3. Believing the representations made by the caller, the complainant transferred a Rs. 1,50,000/- (Rupees One Lac only) to a bank account maintained with the State Bank of India ("SBI"), in the name of Amit Kumar, and a further sum of Rs. 50,000/- (Rupees Fifty Thousand only) to a bank account with the United Bank of India, in the name of Amit Chopra. Additionally, the complainant transferred Great Britain Pound ("GBP") 490 (GBP Four Hundred Ninety only), i.e., approximately Rs. 42,000/- (Rupees Forty-Two Thousand only) through Western Union, as instructed by the caller, purportedly as proof of her stay in the UK.

6.4. Pursuant to the aforesaid complaint, the present FIR in question was registered at PS Special Cell, Delhi, under Sections 419/420 of the IPC.

6.5. During the pendency of proceedings, the parties amicably resolved all their disputes *vide* Memorandum of Settlement ("MoS") dated 09th October, 2026, arrived between the parties at Hubli, Karnataka, India.

6.6. By way of the said MoS, petitioners and respondent no. 2 agreed to cooperate with each other in quashing of the FIR in question. Furthermore, the parties had agreed to a full and final settlement of Rs. 50,000/- (Rupees Fifty Thousand only), which was to be paid by petitioners to respondent no. 2.

7. Learned counsels appearing for the petitioners as well as respondent no. 2 jointly submit that the parties have already settled the matter by executing the MoS dated 09th October, 2026, and, therefore, pray that the FIR in the question be quashed.

8. In terms of the settlement, the petitioners have already paid the requisite amount of Rs. 50,000/- (Rupees Fifty Thousand only), to respondent no. 2.

9. This Court has interacted with respondent no. 2 who is present before

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this Court, through Video Conferencing ("VC"). She submits that she has already received the amount of settlement and that since she stays in UK, she does not wish to pursue the present matter any further.

10. In view of the aforesaid, the parties seeking quashing of the FIR in question.

11. This Court is informed that Mr. Aditya Kohli, i.e., respondent no. 3 is the main accused and master mind of the offence in the present case.

12. Learned APP for the State draws the attention of this Court to the order dated 29th May, 2026, passed in *CRL.M.C. 201/2026*, to submit that FIR *qua* one of the co-accused has already been quashed.

13. Having heard learned counsels for the parties, though, in view of the allegations against the petitioner, this Court was not inclined to allow the present petition, however, this Court notes that in similar circumstances, the predecessor bench of this Court has already allowed quashing of the FIR of one of the co-accused.

14. It is no longer *res-integra* that this Court has the power to quash the criminal proceedings in cases of non-compoundable offences under the CrPC, i.e., now the BNSS, wherein, the parties have settled the matter between themselves.

15. The Supreme Court has held that under Section 482 of the CrPC/Section 528 of the BNSS, High Courts may quash criminal proceedings, even with respect to non-compoundable offences, if the concerned parties have arrived at a compromise or settlement, and particularly when no overarching public interest is adversely affected by quashing the same.

16. The Supreme Court in the case of ***Gian Singh Versus State of Punjab***

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and Another, (2012) 10 SCC 303, has held as follows:

> *"xxx xxx xxx*
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> *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.*
>
> *xxx xxx xxx"*
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> *(Emphasis Supplied)*

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17. It is also to be noted that this Court in the case of ***Deepak Kumar Versus State (Govt. of NCT) of Delhi and Another., 2024 SCC OnLine Del 1305***, while quashing an FIR on the basis of settlement between the parties held as follows:

> *"xxx xxx xxx*
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> ***6. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute, would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.***
>
> *xxx xxx xxx"*
>
> *(Emphasis Supplied)*

18. In view of the foregoing discussion and having regard to the principle of parity with respect to the order dated 29th May, 2026, passed by the predecessor bench in *CRL.M.C. 201/2026*, the present petition is allowed, subject to payment of cost.

19. Accordingly, it is directed that the petitioner shall pay a sum of Rs. 30,000/- (Rupees Thirty Thousand only) to the Delhi High Court Legal Services Committee ("DHCLSC"), within a period of 04 (four) weeks, from today.

20. The bank account details of the DHCLSC are as follows:

Bank: *UCO Bank*
Branch: *Delhi High Court, Shershah Road, New Delhi-110001*
A/c No. *15530110008386*
IFS Code: *UCBA0001553*

21. The proof of depositing of the said cost shall be filed in affidavit before

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this Court, as well as a copy of the same shall also be submitted to the concerned IO, within a period of 01 (one) week, thereafter.

22. Subject to the payment of the aforesaid cost, the *FIR No. 46/2020*, dated 20th February, 2020, registered at PS Special Cell, Delhi, under Sections 419/420 of the IPC, and all other proceedings emanating therefrom, are hereby quashed *qua* the petitioners, namely, Vishal Bajaj, i.e., petitioner no. 1 and Shankar, i.e., petitioner no. 2.

23. With the aforesaid directions, the present petition, along with the pending application, is accordingly stands disposed of.

MINI PUSHKARNA, J

NOVEMBER 3, 2026
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