$~61 (16.11.2026)

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

\# **CNR No. DLHC010545652026**

\+ CRL.M.C. 8453/2026, CRL.M.A. 35403/2026

HARISH SINGH BISHT & ORS. .....Petitioners

Through: Mr. Bhagwan Jha, Advocate.

versus

STATE GOVT OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for State.
Insp. Rizwan, PS-Cyber East and SI Talvinder, PS-Cyber North East.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 17.11.2026

[*This case is being taken up today as 16th November, 2026 was declared a holiday vide Notification No. 110/G-4/Genl.-I/DHC dated 11th November, 2026*]

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] seeks quashing of FIR No. 0061/2022 dated 22nd December, 2022, registered at P.S. Cyber Police Station East, Delhi under Sections 420/34 of the Indian Penal Code, 1860 ["IPC"], and all consequential proceedings emanating therefrom.

2. The impugned FIR was registered on the complaint of Respondent No. 2, who alleged that on 27th October, 2022, Petitioner Nos. 1 and 4 visited his electrical goods shop, posing as employees of Amazon, and obtained access to his mobile phone on the pretext of updating his Paytm

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 20/11/2026 at 11:42:58

facility. Subsequently, unauthorised transactions amounting to INR 95,947/- were allegedly made from his Paytm account. During investigation, it was revealed that Petitioner No. 2 allegedly used the cheated amount to pay the credit-card dues of Petitioner No. 3, who, in turn, transferred money to Petitioner No. 2 through cash and banking transactions. Accordingly, a chargesheet was filed against all four Petitioners under Sections 420/120B/34 IPC and Section 66D of the Information Technology Act, 2000.

3. The parties state that during the pendency of the proceedings, they have amicably resolved their disputes before the Delhi Mediation Centre, Karkardooma Courts, vide Settlement Agreement dated 13th August, 2026, a copy whereof has been placed on record. In terms of the settlement, the Petitioners have agreed to pay a total sum of INR 1,30,000/- to Respondent No. 2 towards full and final settlement of the dispute.

4. Respondent No. 2 is present in Court and has been identified by the Investigating Officer. He confirms the settlement and acknowledges receipt of the entire settlement amount. He further states that the settlement has been arrived at voluntarily, without any pressure, coercion or undue influence, and that he has no objection to the quashing of the impugned FIR.

5. The Court has considered the nature of the allegations and the settlement arrived at between the parties. While the offence under Section 120B IPC is non-compoundable, the offence under Section 420 IPC is compoundable with the permission of the Court. Further, the offence under Section 66D of the Information Technology Act, 2000, is compoundable under Section 77A of the said Act, subject to the statutory restrictions prescribed therein.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 20/11/2026 at 11:42:58

6. 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 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.

7. The Court is conscious of the seriousness of the allegations, which involve an alleged act of cyber fraud resulting in unauthorised financial transactions from the account of Respondent No. 2. At the same time, the parties have amicably resolved their disputes, and Respondent No. 2 has confirmed that he has received the entire settlement amount to his satisfaction and does not wish to pursue the proceedings. The Investigating Officer has also confirmed that the Petitioners have no other criminal antecedents, and there is no material indicating that the alleged conduct forms part of a larger pattern of criminal activity. Having regard to these circumstances, the possibility of securing a conviction appears remote and

[1] (2014) 6 SCC 466.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 20/11/2026 at 11:42:58

continuation of the proceedings would serve no useful purpose. Accordingly, the Court is satisfied that this is a fit case for exercise of its inherent powers under Section 528 BNSS.

8. In view of the foregoing, the present petition is allowed. The impugned FIR No. 0061/2022 and all consequential proceedings emanating therefrom, are hereby quashed.

9. However, since the State machinery was set in motion on account of the impugned FIR, it is appropriate to impose costs on the Petitioners. Accordingly, each of the Petitioners are directed to deposit INR 3,000/- 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.

10. The parties shall abide by the terms of settlement.

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

SANJEEV NARULA, J

NOVEMBER 17, 2026
nk

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 20/11/2026 at 11:42:58