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

+ **CRL.M.C. 6153/2025**

SHOAIB ALI KHAN

.....Petitioner

Through: Ms. Nisha Thakur, Ms. Mansi
Goyal, Advocates.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP.
SI Rahul.
Mr. Naman Gupta, Advocate for
Respondent No. 2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **28.03.2026**

1. This petition was scheduled to be listed on 02.03.2026 but has been listed today, as 02.03.2026 was declared a holiday *vide* Notification No. 64/G-4/Genl.-I/DHC dated 27.02.2026.
2. The petitioner has filed this 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. 1074/2015 dated 27.08.2015, registered under Sections 420/467/468 of the Indian Penal Code, 1860, ["IPC"] at Police Station Saket, District South, Delhi, and all consequential proceedings emanating therefrom, on the ground of settlement.
3. Issue notice. Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Naman



Gupta, learned counsel, accepts notice on behalf of respondent No. 2-complainant.

4. The impugned FIR was lodged at the instance of respondent No. 2 against the petitioner. The facts, as emerging therefrom, are that respondent No. 2 contacted the petitioner for booking seven international air tickets and paid a sum of Rs. 5,29,000 through a cheque. It is alleged that the accused handed over purported air tickets along with booking references, claiming them to be valid reservations for travel in September 2015. Subsequently, when respondent No. 2 attempted to contact the accused for modification of travel dates, all contact numbers were found switched off, raising suspicion. Upon verification with the concerned airlines, it was revealed that no such bookings existed, thereby indicating that the tickets provided were fake.

5. Upon completion of investigation, a chargesheet was filed on 19.11.2019. The criminal case is pending before the Court of Additional Chief Metropolitan Magistrate, Saket Courts.

6. The parties have since settled their disputes amicably, as recorded in a Memorandum of Settlement dated 29.08.2025. The settlement records that the petitioner will pay a sum of Rs. 2,10,000/- to respondent No. 2 towards full and final settlement of all claims.

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

8. The petitioner is present in person and is identified by his learned counsel, as well as by the Investigating Officer ["IO"]. Respondent No. 2 is also present in person, and has been identified by his learned counsel and the IO.



9. Respondent No. 2 affirms before the Court that he has received the entire amount as contemplated in the settlement. Learned counsel for the parties also confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 482 of the CrPC [corresponding to Section 528 of the BNSS], can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected. Reference in this connection can be made to the judgment 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.

¹ (2012) 10 SCC 303.



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

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

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

11. The present case emanates from a commercial transaction relating to the booking of air tickets, which has since been resolved amicably between the parties upon payment of an agreed monetary consideration. Although the FIR invokes offences under Sections 420/467/468 of the IPC, the dispute, in substance, bears a predominantly civil and financial character, without any discernible element of public interest or grave criminality. In these circumstances, this Court is of the view that it would be appropriate to exercise its inherent jurisdiction under Section 528 of the BNSS. Respondent No. 2 has unequivocally affirmed the receipt of the entire settlement amount and the voluntary nature of the compromise, and there appears to be no likelihood of a successful prosecution. Continuation of the criminal proceedings pursuant to the impugned FIR would, therefore, amount to an unnecessary burden on judicial resources and would defeat the ends of justice.

12. Having regard to the above discussion, the petition is allowed, and

⁴ Emphasis supplied.



FIR No. 1074/2015 dated 27.08.2015, registered at Police Station Saket, District South, Delhi, under Sections 420/467/468 of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

14. The petition, accordingly, stands disposed of.

PRATEEK JALAN, J

MARCH 28, 2026

'Bhupi/JM'/'