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

+ CRL.M.C. 6342/2025

SANJAY GUPTA@ SANJAY KUMARPetitioner

Through: Mr. Manoj Arya, Advocate.

versus

STATE NCT OF DELHI & ANR.Respondent

Through: Ms. Manjeet Arya, APP with Mr.
Abhimanyu Arya, Advocate.
SI Rajesh Kumar, PS Vijay Vihar.
R-2 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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11.05.2026

1. This is a 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. 381/2012, dated 05.10.2012, under Sections 420/467/471/120B of the Indian Penal Code, 1860 ["IPC"], registered at Police Station Vijay Vihar, Delhi, and all other consequential proceedings emanating therefrom on the basis of a settlement arrived at between the parties.
2. Issue notice. Ms. Manjeet Arya, learned Additional Public Prosecutor, accepts notice on behalf of the State. Respondent No. 2 appears in person and declines the assistance of counsel.
3. The petitioner is present in Court and are identified by their counsel and the Investigating Officer ["IO"]. Respondent No. 2 is present through video conferencing and is identified by the IO.
4. The petition is taken up for hearing with the consent the parties.



5. The impugned FIR was registered at the instance of respondent No. 2, who alleges conspiracy to illegally grab Plot No. V-17, Budh Vihar Phase-I, Delhi. He alleged that one Sanjay was falsely claiming ownership over the same property and had already submitted documents relating to the property before Police Station Vijay Vihar. He alleged that the documents relied upon by him had been fabricated with the intention to commit fraud and cheating.
6. Upon completion of the investigation, a chargesheet was filed against the petitioner under Sections 420/467/471/174A of IPC.
7. During the pendency of the proceedings, the parties have settled their disputes by way of a Memorandum of Understanding dated 09.07.2025.
8. The only objection of Ms. Arya is that the original of the alleged forged documents were not handed over to the IO at any stage and they may be used in future. The petitioner, who is present in Court, categorically states that he has no interest in the said property and is not in possession of any document. Respondent No. 2 has also filed an affidavit recording his no-objection to the quashing of the impugned FIR.
9. Learned counsel for the parties also confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.
10. In light of the aforesaid, the parties seek quashing of the impugned FIR.
11. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of the BNSS [corresponding to Section 482 of the CrPC], 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. 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.*

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61. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a

¹ (2012) 10 SCC 303.



criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal



proceeding”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 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.

² Emphasis supplied.

³ (2014) 6 SCC 466.



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

12. The present case arises out of a property dispute that has since been settled between the parties. Although there is an allegation of forgery, it is not related to a public document, or to any document presented to a public officer. The dispute, therefore, does not involve any element of public interest or heinous criminality. This, in my view, is a fit case in which the inherent powers of this Court may be exercised to quash the FIR in question. As respondent No. 2 has affirmed the voluntary nature of the settlement, it is also unlikely that further proceedings would result in any conviction. Continuation of criminal proceedings pursuant to the impugned FIR would, therefore, be an unnecessary diversion of judicial resources.

13. Having regard to the above discussion, the petition is allowed, and FIR No. 381/2012 dated 05.10.2012, under Sections 420/467/471/120B of the IPC, registered at Police Station Vijay Vihar, Delhi, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

15. The petition, alongwith the pending application, accordingly, stands disposed of.

PRATEEK JALAN, J

MAY 11, 2026/‘pv’/AD/

⁴ Emphasis supplied.