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

+ **CRL.M.C. 7474/2025 & CRL.M.A. 31303/2025**

GAURAV BHARDWAJ & ANR.Petitioners

Through: Mr. Vaibhav Sethi, Ms. Priya Pathania and Mr. Bhanu Gulati, Advocates.

versus

STATE (NCT OF DELHI) & ORS.Respondents

Through: Mr. Aashneet Singh, APP with SI Anirudh Rathi.

Ms. Tanya Agarwal and Mr. Krishna Kumar Keshav, Advocates for R2 and R3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **02.04.2026**

CRL.M.A. 10007/2026 (for early hearing)

This is an application for early hearing of the petition.

For the reasons stated therein, and with the consent of learned counsel for the parties, the application is allowed. CRL.M.C. 7474/2025 is taken up for hearing.

The application stands disposed of.

CRL.M.C. 7474/2025

1. The petitioners have 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. 150/2025 dated 13.02.2025, registered at Police Station Jait Pur, District South-East, New Delhi, under Sections 420/468/471/120B of the Indian Penal Code, 1860 [“IPC”], alongwith all consequential proceedings emanating therefrom, on the ground of settlement.

2. Petitioner No. 1 is the son-in-law of petitioner No. 2. Respondent Nos. 2 and 3 are husband and wife. Petitioner No. 2 and respondent No. 2 were the promoters and directors of a company by the name of Edgecom Solution Private Limited [“the Company”], each holding 50% shareholding therein. Petitioner No. 1 and respondent No. 3 were key managerial personnels of the Company, acting as representatives of petitioner No. 2 and respondent No. 2, respectively.

3. Disputes subsequently arose with regard to the management of the Company, which resulted in the registration of the impugned FIR at the instance of respondent No. 2. The allegations, as emerging therefrom, include diversion of funds, falsification of accounts, and forgery of signatures.

4. The disputes between the parties have since been settled, as recorded in a Memorandum of Settlement dated 27.08.2025. They, therefore, seek quashing of the impugned FIR.

5. The petitioners are present in Court, and have been identified by their learned counsel, as well as by the Investigating Officer. Respondent Nos. 2 and 3 are also present in person, and are identified by their learned counsel and the Investigating Officer.

6. A sum of Rs. 7,50,000/- has been paid to respondent Nos. 2 and 3



in terms of the settlement, and all other reciprocal obligations under the Memorandum of Settlement dated 27.08.2025 have been duly complied with. A further sum of Rs. 7,50,000/- was to be paid at the time of quashing of the FIR, which has been handed over today.

7. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

8. The only objection raised by Mr. Aashneet Singh, learned Additional Public Prosecutor, is with regard to one Mr. Kishan Kumar, who is mentioned in the impugned FIR, but is neither a party to the settlement nor to the present petition. Mr. Vaibhav Sethi, learned counsel for the petitioners, and Ms. Tanya Agarwal, learned counsel for respondent Nos. 2 and 3, submit that the name of Mr. Kishan Kumar was erroneously included as a result of a clerical error in the filing of certain documents before the Registrar of Companies.

9. The statement of respondent No. 2 – complainant has been separately recorded. The statement was made by her in Hindi, and has been translated into English by me. The contents thereof have also been explained to her in Hindi prior to her signing the same. She has stated that she has no objection to the quashing of the FIR against the accused.

10. Although the offences under Sections 468, 471, and 120B of the IPC are non-compoundable, 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.

11. The Supreme Court, in *Gian Singh v. State of Punjab and Anr.* [(2012) 10 SCC 303], 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.”

[Emphasis supplied.]

Further, in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], 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.

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.”

[Emphasis supplied.]

12. The offences alleged in the subject FIR arise out of a commercial relationship between the parties and are essentially private in nature. The



dispute does not involve any element of public interest or heinous criminality. Applying the tests laid down by the Supreme Court, it may be observed that respondent Nos. 2 and 3 have also categorically affirmed the voluntary nature of the settlement before the Court. In these circumstances, the criminal proceedings are unlikely to result in conviction, and its continuation would be an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily.

13. Having regard to the above discussion, the petition is allowed, and FIR No. 150/2025 dated 13.02.2025, registered at Police Station Jait Pur, District South-East, New Delhi, under Sections 420/468/471/120B of the IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

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

16. The next date of hearing, i.e. 08.05.2026, stands cancelled.

PRATEEK JALAN, J

APRIL 2, 2026
SS/KA/