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

+ **CRL.M.C. 8888/2025**

SATHBIR SINGH SACHDEVA & ORS.Petitioner
Through: Mr. Mohit Arora, Mr. Paras Arora,
Advocates.

versus

STATE (NCT OF DELHI) & ANR.Respondent
Through: Mr. Hitesh Vali, APP for State.
Mr. Rajat Jain, Advocate for R2.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
22.01.2026

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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. 447/2025 dated 09.07.2025, lodged at Police Station Punjabi Bagh, District West, New Delhi, under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], on the ground of settlement.
2. Issue notice. Mr. Hitesh Vali, learned Additional Public Prosecutor, accepts notice on behalf of the State. Mr. Rajat Jain, learned counsel, accepts notice on behalf of respondent No. 2 – complainant.
3. The impugned FIR was lodged at the instance of respondent No. 2. The facts, as emerging therefrom, are that respondent No. 2, after receiving approximately Rs.30,00,000/- as service benefits upon the death



of her husband, intended to purchase a residential property and was introduced to a builder [petitioner No. 1 herein] through an agent [petitioner No. 5 herein]. It was agreed that she would purchase the second floor of a newly constructed building situated at property bearing No.853, Pocket 2, Paschim Puri, New Delhi – 110063, for a total sale consideration of Rs.28,50,000/-, out of which a sum of Rs.26,00,000/- was paid by her. Respondent No. 2 was handed over physical possession of the second floor in May 2024 and had been residing therein since then, with the consent of the builder and the original owners [petitioner Nos. 2 and 3 herein]. It is alleged that the builder, in connivance with the original owners, had fraudulently sold and registered the very same second floor in favour of petitioner No. 4 in April 2023.

4. Mr. Vali states that the chargesheet has not yet been filed.

5. The parties have since settled their disputes, as recorded in a Settlement and Transfer Agreement dated 22.08.2025. In light of the aforesaid, the parties seek quashing of the impugned FIR.

6. The personal appearance of the parties was exempted *vide* order dated 21.01.2026, which recorded as follows:

“1. Mr. Rajat Jain, learned counsel for respondent No. 2, on instructions from respondent No. 2, who is present in Court, submits that she has no objection to the quashing of the FIR, as the disputes between the parties stand settled, and the settlement amount has already been received by her.

2. The petitioners are also present in Court. The parties have been identified by the Investigating Officer as well as by their respective learned counsel. In view thereof, their personal presence is dispensed with.

3. Mr. Hitesh Vali, learned Additional Public Prosecutor, seeks an opportunity to take instructions.

4. List on 22.01.2026.”



7. The Settlement and Transfer Agreement dated 22.08.2025 records that petitioner No. 1 has paid a sum of Rs.31,00,000/- to respondent No. 2. Mr. Jain states that the said amount has been duly received by respondent No.2.

8. It may be noted that, even in the case of non-compoundable offences, the Supreme Court has held that criminal proceedings may be quashed under Section 528 of the BNSS (corresponding to Section 482 of the CrPC), on the ground that a compromise has been arrived at between the accused and the complainant, particularly when no overarching public interest is adversely affected. Reference in this connection can be made to the judgment in *Narinder Singh and Ors. v. State of Punjab and Anr.* [(2014) 6 SCC 466], wherein the Supreme Court has 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.]

9. The present case arises out of a property transaction which has since been settled between the parties. The dispute 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.

10. As the parties have settled their disputes, and have affirmed the voluntary nature of the settlement, it is also unlikely that further proceedings would result in convictions. Continuation of criminal proceedings in the present FIR would, in my view, be an unnecessary diversion of judicial resources.

11. Having regard to the above discussion, the petition is allowed, and FIR No. 447/2025 dated 09.07.2025, lodged at Police Station Punjabi Bagh, District West, New Delhi, under Section 318(4) of the BNS,



alongwith all consequential proceedings arising therefrom, is hereby quashed.

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

13. The petition accordingly stands disposed of.

PRATEEK JALAN, J

JANUARY 22, 2026

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