

(2025) 12 DEL CK 0017

Delhi HC

Case No: Criminal Miscellaneous Petition No. 7033 Of 2025 & Criminal Miscellaneous
Application No. 29521 Of 2025

Rajan & Ors.

APPELLANT

Vs

Govt Of Nct Of Delhil & Anr.

RESPONDENT

Date of Decision: Dec. 8, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023, Section 528
- Code of Criminal Procedure, 1973- Section 482
- Indian Penal Code, 1860- Section 34, 406, 419, 420, 468

Hon'ble Judges: Ravinder Dudeja, J

Bench: Single Bench

Advocate: Roshan, Priyanka Dalal

Final Decision: Allowed

Judgement

Ravinder Dudeja, J.

CRL.M.A. 29522/2025 DELAY

Bearing in mind the reasons explained, the delay of 71 days in refilling the present petition is condoned.

The application accordingly stands disposed of.

CRL.M.C. 7033/2025

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 26/2010, dated 28.01.2010, registered at P.S Aman Vihar, Delhi under Sections 419/420/468/406/34 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per averments made in the FIR, Petitioners impersonating as loan providers lured respondent no. 2 by repeated calls for loan and later went to his house for collecting his PAN Card, photos, bank statements and subsequently took 3 signed cheques out of which Rs. 32,800/- (Rupees Thirty Two Thousand Eight Hundred only) was withdrawn by the petitioners. Investigation revealed a racket involving forged identities, fake bank employees, and cheque fraud by petitioners. Chargesheet has since been filed under sections 419/420/468/406/471/120B IPC against the petitioners.

3. During the course of proceedings, the parties have amicably resolved their disputes before the Delhi Mediation Centre, Rohini Courts, Delhi and executed a Settlement Agreement dated 29.10.2018. It is submitted that petitioners have refunded the entire cheated amount and additionally have paid Rs. 10,000/- (Rupees Ten Thousand only) as settlement amount to respondent no. 2. Copy of the Settlement Agreement dated 29.10.2018 has been placed on record as Annexure P-2.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Komal from PS Aman Vihar.

5. Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and he has received the entire cheated amount as well as the settlement amount and has no objection if the FIR No. 26/2010 is quashed against the Petitioners.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 26/2010 is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. 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 proceedings or continuation of criminal proceedings 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 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 proceedings."

8. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana, (2003) 4 SCC 675*.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. In the interest of justice, the petition is allowed, and the FIR No. 26/2010, dated 28.01.2010, registered at P.S Aman Vihar, Delhi under section 419/420/468/406/34 IPC and all the other consequential proceeding emanating therefrom is hereby quashed subject to each petitioner depositing a cost of Rs. 5,000/- (Rupees Five Thousand only) with DHCBA Costs Account bearing No. 15530110179338, maintained with UCO Bank within a period of one month.

11. Petition is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of..