
(2025) 11 DEL CK 1798

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No.7250 Of 2025 & Criminal Miscellaneous Application Nos. 30428, 30427 Of 2025

Vishal Chaudhary

APPELLANT

Vs

State Of Nct Of Delhi & Anr.

RESPONDENT

Date of Decision : 01-11-2025

Acts Referred:

Citation : (2025) 11 DEL CK 1798

Hon'ble Judges : Ravinder Dudeja, J

Bench : Single Bench

Advocate : Sahiba Singh, Kiran Bairwa, Harshit Gupta, Dilip Garg

Final Decision : Allowed

Judgement

Ravinder Dudeja, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 801/2022, dated 07.08.2022, registered at P.S Adarsh Nagar, Delhi under Sections 406/420/467/468/471/120B IPC and all proceedings emanating therefrom on the basis of settlement between the parties.
2. The factual matrix giving rise to the instant case is that the respondent no. 2/ complainant had supplied FMCG goods, including cigarettes and pan masala, worth ₹ 1,55,38,576/- (Rupees One Crore Fifty Five Lakhs Thirty Eight Thousand Five Hundred Seventy Six Only) to petitioner who later defaulted on payments by fabricating and uploading fake GST invoices to create a fictitious liability against respondent no. 2. FIR No. 801/2022 was lodged at the instance of respondent no. 2 at PS Adarsh Nagar under sections 406/ 420/ 467/ 468/471/120B IPC against the petitioner.
3. During the course of proceedings, the parties amicably resolved their disputes and the terms of settlement were written in the form of a Settlement Agreement dated 15.09.2025. It is submitted that petitioner no. 1 has paid the entire settlement amount of Rs. 75,00,000/- (Rupees Seventy Five Lac only) to

respondent no. 2 as per the schedule in the settlement. Copy of the Settlement Agreement dated 15.09.2025 has been annexed as Annexure P-2.

4. Parties have entered their appearance through VC with respective advocates, present physically before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Sargam, from PS Adarsh Nagar.

5. Respondent No. 2/ authorized representative confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and he has received the entire settlement amount and he has no objection if the FIR No. 801/2022 is quashed against the Petitioner.

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. 801/2022 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. Hence, 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. 801/2022, dated 07.08.2022, registered at P.S Adarsh Nagar, Delhi under section 406/ 420/ 467/ 468/ 471/ 120B IPC and all the other consequential proceeding emanating therefrom is hereby quashed, subject to petitioner depositing Rs. 25,000/- as cost with Delhi State Legal Services Authority within a period of one month.

11. Petition is allowed and disposed of accordingly.

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