



2025:DHC:11470



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

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Judgment reserved on : 09.12.2025

Judgment delivered on : 17.12.2025

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**W.P.(CRL) 2047/2025, CRL.M.A. 19069/2025, CRL.M.A. 19070/2025, CRL.M.A. 19071/2025, CRL.M.A. 28106/2025, CRL.M.A. 28187/2025 & CRL.M.A. 34409/2025**

**DR S C VATS**

**.....Petitioner**

**versus**

**THE STATE NCT OF DELHI  
& ORS.**

**.....Respondents**

**Advocates who appeared in this case:**

For the Petitioner : Mr. Mohit Mathur, Sr. Adv. with Mr. Nitesh Mehra, Mr. Shoumendu Mukherji, Ms. Hitaakshi Mehra, Mr. Harsh Gautam, Mr. Kartik Jain, Mr. Vignesh Ramanathan, Ms. Pratishtha Verhwani, Mr. Aniruddha Ghosh & Ms. Aaroahi, Advs.

For the Respondents : Mr. Sanjeev Bhandari, ASC for the State with Mr. Arjit Sharma & Ms. Sakshi Jha, Advs.

Inspector Mahesh, PS- Rajouri Garden  
Mr. Rajeev Aggarwal, Mr. Ankit Gupta, Mr. Mayank Kamra & Mr. Manbhav Mittal, Advs. for R4

Mr. Naresh Aggarwal – R4/ Complainant in person (through VC)

**CORAM**

**HON'BLE MR JUSTICE AMIT MAHAJAN**



## **JUDGMENT**

1. The present petition is filed under Article 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 for quashing of the proceedings in FIR No. 359/2025, dated 27.06.2025 registered at Police Station Rajouri Garden for the offences under Sections 420/468/471 of the Indian Penal Code, 1860 ('IPC').
2. Briefly stated, on 15.05.2025, a request letter was submitted by Naresh Aggarwal to Registrar of Societies seeking certified copies of the full record maintained in Registrar office pertaining to Strength India Educational Society. He allegedly noticed manipulation in the list of members of Governing Body whereby one Prof Anuradha Jain's name was inserted as Secretary.
3. It is alleged that on 16.06.2025, Naresh Aggarwal, once again did an inspection of the record file in the Registrar office and noticed a purported document alleged to be minutes of special meeting of Society dated 15.05.2021, by which Anuradha Jain has been shown to be appointed as alleged Secretary of the Society. This document was not part of the earlier certified copies provided on 17.05.2025.
4. Thereafter, Naresh Aggarwal had filed a complaint on 19.06.2025 with the office of the Registrar of Societies stating that certain false/forged documents had been created by the petitioner and placed on the records of the society named "Strength India Education Society" on a back date. Thereafter, the Section Officer of the Office



of Registrar of Societies, that is Respondent No.3 made a complaint to the police, pursuant to which the present FIR was registered.

5. It is alleged that the said records contain two letters dated 02.02.2022, containing the same diary number '1860', and one of these two letters contain the mark/sign of the Registrar of Society while the other does not. It is alleged that another letter of the same diary number, that is 1860, dated 02.02.2022, which is not marked or signed by the Registrar of Societies, is found in the concerned file which shows the following: a) Inconsistent diary number; b) Variation in SDM Office stamp size c) Different handwriting on identical diary stamps.

6. It is alleged that the documents were stamped on each page, not paginated and on plain paper without any letterhead. It is alleged that the documents had no seal of the authority and were forged and fabricated.

7. During the course of investigation, the concerned office staff of SDM Rajouri Garden were interrogated related to the entry of the Diary Nos. 1860 dated 02.02.2022 and 4916 dated 12.08.2024.

8. The concerned data entry operator at the time of Diary No. 1860/2022 confirmed the affixing stamp on the covering letter, however, upon being shown additional documents related to the same diary number, she observed that the ink and handwriting on the other pages differed and stated that those were only photocopies. She clarified that, as per office protocol, stamps are affixed only on the covering letter when the dak is received, and documents are accepted



as per the contents mentioned in the covering letter.

9. The data entry operator at the time of Diary no. 4916/2024 also admitted that the stamp was affixed only on the covering letter. When shown the documents, he identified the handwriting on the covering letter as his but denied stamping or writing on the additional enclosed pages. He confirmed that only lists of the four year governing body were submitted according to the covering letter.

10. It is alleged that the petitioner tampered with the official records maintained in the SDM Office concerning the SIES governing body and member lists in order to remove the complainant Naresh Aggarwal and his family from the governing body of Strength of India Educational Society.

11. The present petition was initially filed on the ground that no offence is made out even if the allegations are taken at the highest. Subsequently, during the pendency of the petition, the parties amicably settled the dispute by way of Settlement Agreement dated 09.11.2025. An application, being, CRL.M.A. 34409/2025, was also filed on behalf of the petitioner to bring the said settlement agreement on record along with an affidavit tendered by Naresh Aggarwal, wherein he has deposed that he has no objection against quashing of the subject FIR.

12. The learned counsel for the petitioner submits that some disputes arose between the parties regarding list of general body and governing body members of the society which led to filing of the following cases:



- a. O.M.P. (I) No.12/2025 titled as “Naresh Aggarwal and Ors. Vs Strength India Educational Society and Ors.”.
- b. O.M.P. (I) No. 16/2025 titled as “Strength India Educational Society and Ors. Vs Naresh Aggarwal and Ors.”
- c. Arb. P. No.1403/2025 titled as “Naresh Aggarwal and Ors. Vs Strength India Educational Society and Ors.”
- d. W.P.(C) No.10817/2025 titled as “Strength India Education Society and Anr. Vs Govt. of NCT of Delhi and Anr.”
- e. W.P. (Crl.) No. 2047 / 2025 titled as "Dr. S.C. Vats Vs The State NCT of Delhi and Ors.”
- f. FIR No. 359 / 2025, P.S. Rajouri Garden, Delhi-110027.

13. He submits that after due deliberations/discussions and verifications of the list of members of the General Body, the parties have mutually agreed to resolve all disputes, differences and abovementioned pending cases *vide* Settlement Agreement dated 09.11.2025.

14. He submits that a perusal of the FIR reveals that there are absolutely no allegations of any inducement whatsoever on the part of the petitioner. He submits that the allegations of the FIR, even if assumed to be true, do not reveal any allegation of any deception being performed, nor of causing any wrongful loss or wrongful gain to anyone whatsoever, which are essential elements for the offence of ‘cheating’, specially when the parties have settled all their disputes.

15. He submits that no allegations have been made that any of the documents were used for the purpose of cheating and hence, no



offence of forgery for the purpose of cheating is made out.

16. He submits that only vague allegations have been made about the existence of the same diary number with the same date of two letters and there is no allegation that either of the two said letters are forged. He submits that the only allegation inferred even in the complaint is that some document has allegedly been placed in the file on a later date and without the knowledge of the SDM. He submits that it is not the allegation in the FIR that either of the two letters are forged. Further, it is not that case that the averments contained in either of the two letters are forged or that these documents have not been created/signed by the persons by whom they purport to have been created/signed.

17. He submits that neither the complaint nor the letter written by the SDM/Registrar of Societies contains any allegation or any finding that the stamp affixed upon the documents is false or forged.

18. He submits that the allegations in the FIR, i.e. the existence of the same diary number on two letters dated 02.02.2022 do not in any manner relate to any act or omission on part of the Petitioner. The file in question is kept in the Office of the Registrar of Societies, in the custody of its staff. Thus, even if the allegations are assumed to be true, the discrepancies therein are liable to be explained by the concerned staff and no responsibility thereof can be fastened upon the Petitioner, especially in absence of any allegation that the letters dated 02.02.2022 themselves are forged or fabricated.

19. The complainant, Naresh Aggarwal, appears in person and



states that the parties have resolved all their disputes and he has no objection if the proceedings arising out of the present FIR are quashed.

20. The learned Additional Standing Counsel for the State vehemently opposes quashing of the present proceedings.

21. He submits that the records of the Registrar of Societies have been forged and fabricated by the petitioner and the present case cannot be quashed merely due to the fact that the petitioner and Mr. Naresh Aggarwal have entered into a settlement.

22. He submits that the then SDM Rajouri Garden submitted their departmental report and conclusion that with the available documents, it is quite clear that the alleged minutes of the meeting dated 15.05.2021 cannot be said to be authentic, beyond doubt. There are traces of foul play.

23. He submits that Section 5 of the Societies Registration Act provides that: *“The property, movable and immovable, belonging to a society registered under this Act, if not vested in trustees, shall be deemed to be vested, for the time being, in the governing body of such society, and in all proceedings, civil and criminal, may be described as the property of the governing body of such society by their proper title.”*

24. He submits that the present FIR was registered pursuant to a complaint received by Ms. Geeta Kukreja SO to SDM. He submits that the settlement between the parties was communicated to Ms Geeta Kukreja and it has been stated that the SDM office is not in a position to order quashing of the FIR.



### **Analysis**

25. It is well settled that the High Court while exercising its powers under Section 482 of the CrPC can quash offences which are non-compoundable on the ground that there is a compromise between the accused and the complainant. The Hon'ble Apex Court has laid down parameters and guidelines for the High Court while accepting settlement and quashing the proceedings. In ***Narinder Singh & Ors. V. State of Punjab &Anr. : (2014) 6 SCC 466***, the Hon'ble Supreme Court had observed 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.*

26. The Hon'ble Apex Court, in the case of *State of Haryana v. Bhajan Lal* :1992 Supp (1) SCC 335, had illustrated certain categories of cases where the inherent jurisdiction can be exercised to prevent abuse of process of law and secure the ends of justice. The relevant portion of the judgment is reproduced hereunder:

*“102...(1) Where the allegations made in the first information*



*report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused.*

*(2) Where the allegations in the first information report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.*

*(3) **Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.***

*(4) Where, the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.*

*(5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.*

*(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.*

*(7) **Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.”***

*(emphasis supplied)*

27. It is the case of the prosecution that the petitioner had forged certain documents and placed the same belatedly in the records of the Registrar of Societies, in order to remove Naresh Aggarwal and his family from the governing body of Strength India Education Society.

28. Admittedly, the concerned members of the Strength India Education Society have settled the present matter and the complainant Naresh Aggarwal has no pending grievances with the petitioner.



29. It is the contention of the learned ASC for the State that the complainant in the present FIR is not Naresh Aggarwal but Respondent No.3. It is undisputed that Respondent No.3 had only acted upon the complaint of Naresh Aggarwal regarding the records of the society of which he and the petitioner are members of the governing body. Respondent No.3 had upon finding certain discrepancies in their records forwarded the same to the police.

30. The reply received by the State from Respondent No.3 is produced herein below:

*Sub: Notice for written reply or appear before the Hon'ble High Court, Room No. 31 regarding quashing petition filed by Sh. S.C. Vats.*

*Kindly refer to your Notice on the subject cited above with the request to give the written reply whether you want to quash the FIR No.359/2025 or present before the Hon'ble Court on 01/12/2025.*

*In this regard, it is to inform you that a letter dated 12.11.2025 has been received in this office whereby Sh. Naresh Aggarwal, Secretary has informed that "disputes between the members of the Strength India Education Society have been amicably resolved and has also requested that no further action be taken on the complaints filed by him as a Secretary*

*It is to be noted that the FIR No.359/25 has already been registered in Police Station Rajouri Garden on the basis of complaint filed by the undersigned vide letter dated 26.06.2025 Meanwhile an Internal Inquiry was also conducted and the Inquiry Report has already been submitted to you after approval of the worthy District Magistrate, West.*

*In view of above facts, it is clear that no further action is pending in this office and this office is not in a position to request/order quashing of the FIR.*

*The above status may please be submitted before the Hon'ble High Court. Any further directions of Hon'ble Court Shall be complied*



with.

*This issues with the approval of Registrar of Societies and Firms (District West).*

31. It is evident from the aforementioned letter that Respondent No.3 had forwarded the complaint of Naresh Aggarwal to the police after conducting certain enquiries and no further action is pending with them.

32. Additionally, none has been appearing for Respondent No.3 before this Court in the present matter.

33. The short question before this Court is whether the matter ought to be quashed on the basis of the settlement arrived at between the petitioner and Naresh Aggarwal.

34. In the present case the allegations against the petitioner are for the offences punishable under Sections 420/468/471 of the IPC.

35. Section 420 of the IPC provides that “*Whoever cheats and thereby dishonestly induces the person deceived to deliver any property to any person, or to make, alter or destroy the whole or any part of a valuable security, or anything which is signed or sealed, and which is capable of being converted into a valuable security, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.*”

36. In the facts of the present case, once the petitioner has settled the matter with Naresh Aggarwal, who was the original complainant, no allegations of cheating survive against the petitioner. Nothing remains on record to show that the petitioner has dishonestly induced



anyone in the present case. The document in question has not been used in a manner to cheat the complainant. Moreover, the offence punishable under Section 420 of the IPC is compoundable in nature by the person who is alleged to have been cheated.

37. Section 468 of the IPC constitutes committing forgery intending that the document shall be used for the purpose of cheating. The alleged forged documents, pursuant to the settlement between the parties, cannot be said to have been forged with the intention to cheat the parties. The parties have settled their disputes and no claim is being made by the petitioner on the basis of the subject documents. Moreover, no harm has been caused to the complainant and no wrongful benefit has been taken by the petitioner. Thus, the ingredients of the offence under Section 468 of the IPC are not made out.

38. The Hon'ble Apex Court in the case of ***Jibrial Diwan v. State of Maharashtra : (1997) 6 SCC 499*** while discussing the law for the offence punishable under Section 471 of the IPC held as under:

*3. It bears repetition that the appellant was not the forger of those documents. Section 471 enjoins that whoever fraudulently or dishonestly uses as genuine any document which he knows or has reason to believe to be a forged document, shall be punished in the same manner as if he had forged such document. Section 465 provides that whoever commits forgery shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both. Now the words "dishonestly" and "fraudulently" have been defined respectively in Sections 24 and 25 of the Penal Code, 1860. "Dishonestly" has been defined to mean that whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing "dishonestly". The word "fraudulently" has been defined to mean that a person is said to do a thing*



*fraudulently if he does that thing with intent to defraud but not otherwise. This Court in S. Dutt (Dr) v. State of U.P. [AIR 1966 SC 523 : (1966) 1 SCR 493] has explained the words “intent to defraud” as being not synonymous with the words “intent to deceive”. It requires some action resulting in a disadvantage which but for the deception the person defrauded would have avoided. Here by the delivery of forged letters, there is neither any wrongful gain to anyone nor any wrongful loss to another. The act of the appellant could not thus be termed to have been done dishonestly. Likewise the appellant cannot be said to have any intention to defraud because his action resulted in no disadvantage to anyone which but for the deception the person defrauded would have acted otherwise. The basic ingredients of the act done “dishonestly” or “fraudulently” being missing, the charge under Section 471 read with Section 465 IPC was totally misplaced and the High Court fell into an error in convicting the appellant on those charges.*

*(emphasis supplied)*

39. As noted above, the petitioner has settled the matter with the complainant Naresh Aggarwal and consequently the document in question is not being used by the petitioner to make any claims against the complainant. Moreover, the alleged act of the petitioner has ultimately caused no disadvantage to anyone. Thus, pursuant to the settlement, the offence under Section 471 of the IPC is not made out in the present case.

40. Needless to say, none of the offences of the present FIR could be perceived to have been committed against Respondent No.3, the allegations pertain to alleged cheating against the original complainant, Naresh Aggarwal.

41. It is pertinent to note that the parties had been involved in multiple civil disputes along with the present criminal matter and have decided to put all disputes to rest and entered into a settlement.

42. Keeping in view the fact that the present case arises out of



commercial transactions between the parties which have also been settled along with the present case and that the original complainant Naresh Aggarwal does not want to pursue the present matter, this Court feels that no useful purpose would be served by keeping the dispute alive and continuance of the proceedings would amount to abuse of the process of Court. I am of the opinion that this is a fit case to exercise discretionary jurisdiction under Section 528 of the BNSS.

43. In view of the above, FIR No.359/2025 and all consequential proceedings arising therefrom are quashed.

44. Pending applications also stand disposed of.

45. The State is however at liberty to initiate proceedings against the petitioner, if at a subsequent stage any offence is found to have been committed by the petitioner under the Societies Registration Act, 1860.

**AMIT MAHAJAN, J**

**DECEMBER 17, 2025**

**SS**