



2025:DHC:10886



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

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Date of decision: 04.12.2025

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**CRL.M.C. 9371/2024& CRL.M.A. 35951/2024 DELAY 179
DAYS IN RE-FILING OF PETITION**

VALANI PRATEEK BHIKHABHAI & ANR.

.....Petitioners

Through: Mr. Kapil Kataria, Mr. Rishabh
Jain and Mr. Sunil Sangwan,
Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Nawal Kishore Jha, APP
with SI Ankit Sharma and HC
Surender Singh.

CORAM:-

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT(ORAL)

RAVINDER DUDEJA, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 01/2023, dated 02.01.2023, registered at P.S Cyber Police Station, South, Delhi under Sections 420 IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. As per averments made in the FIR, respondent no.2/complainant was duped of Rs. 5,398/- by petitioners under the pretext of purchasing two Symphony Hicool room air coolers



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from website (www.nexa7.com) operated by petitioners. Chargesheet has since been filed under section 420/120B IPC against the petitioners.

3. During the course of proceedings, the parties amicably resolved their disputes and terms of settlement were reduced in the form of Memorandum of Understanding dated 09.02.2024. It is submitted that petitioners have paid the entire settlement amount of Rs. 5,400/- (Rupees Five Thousand Four Hundred only) to respondent no. 2 as per the schedule in the settlement. Copy of the Memorandum of Understanding dated 09.02.2024 has been annexed as Annexure P-3.

4. All parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Ankit Sharma, from PS Cyber Police Station, South.

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 settlement amount and has no objection if the FIR No. 01/2023 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. 01/2023 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. The petition is allowed, and the FIR No. 01/2023, dated 02.01.2023, registered at P.S Cyber Police Station, South, Delhi under section 420 IPC and all the other consequential proceeding emanating



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therefrom is hereby quashed subject to petitioners depositing cost of Rs. 5,000/- each with DHCBA Cost Account, bearing account 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.

RAVINDER DUDEJA, J

December 04, 2025
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