



2026:DHC:9035



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

% *Date of Decision: 9th October 2026*

CNR No. DLHC010252822026

+ **CRL.M.C. 4355/2026**

CHITRA GOEL

.....Petitioner

Through: Mr. Nitin K. Gupta, Mr. Vivek Gaur,
Mr. Gaurav Gaur, Ms. Pranjal Vyas,
Mr. Prasoon Kumar and Ms. Aditi
Gaur, Advocates

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Mukesh Kumar, APP for State
with Mr. Divakar, Advocate for State
Ms. Vandana Bhatia, Advocate for R2
SI Deepak Kumar, P.S. Lajpat Nagar

CORAM:**HON'BLE MR. JUSTICE AMIT BANSAL****AMIT BANSAL, J. (Oral)**

1. The present petition has been filed seeking quashing of FIR No.129/2024 dated 26th February, 2024, registered at Police Station Lajpat Nagar, Delhi, under Section 174-A of the Indian Penal Code, 1860 ("IPC") and quashing all consequential proceedings arising out of the same.

2. The brief facts necessary for deciding the present petition are as follows:

2.1. The complainant/respondent no.2, Central Bank of India, had sanctioned a housing loan of Rs.35,00,000/- to the petitioner in respect of



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which the petitioner had issued Cheque No. 911335 dated 16th June 2017 as a security cheque.

2.2. The petitioner failed to repay the loan in accordance with the agreed terms, resulting in an overdue amount of Rs.3,30,300/-.

2.3. In discharge of part of the alleged loan liability, the complainant/respondent no.2 presented the aforesaid cheque for a sum of Rs.3,30,300/- however, the same was dishonoured upon presentation.

2.4. The complainant/respondent no.2 instituted a complaint under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter 'NI Act') before the Saket Courts. During the pendency of the said complaint, proceedings under Section 82 of the Code of Criminal Procedure, 1973 (Cr.P.C.) were initiated against the petitioner.

2.5. *Vide* order dated 26th July, 2023, the Trial Court declared the petitioner a proclaimed offender and directed that intimation be sent to the concerned police station for necessary action in accordance with law. At a subsequent stage on the same date, counsel appearing on behalf of the petitioner entered appearance, filed a memo of appearance and moved an application seeking exemption from the petitioner's personal appearance.

2.6. Pursuant to the aforesaid, the present FIR came to be registered under Section 174-A of the IPC, in relation to the petitioner's non-appearance pursuant to the proclamation proceedings.

2.7. Subsequently, the petitioner settled the dispute with the respondent no.2 bank under a one-time settlement and a No Dues Certificate dated 17th September, 2025, was issued by the bank in favour of the petitioner.

3. Based on the aforesaid settlement, the petitioner seeks quashing of the subject FIR by way of the present petition.



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4. Notice in the present petition was issued *vide* order dated 29th May 2026.
5. Status report has been filed on behalf of the State, which records that the petitioner has entered into a settlement with respondent no.2 Bank, pursuant to which a No Dues Certificate was issued by the respondent no.2 Bank in favour of the petitioner.
6. Counsel appearing on behalf of the respondent no.2 bank affirms the factum of settlement between the petitioner and the respondent bank.
7. Counsel for the petitioner contends that, based on the settlement, the complaint under Section 138 of the NI Act was disposed of as compounded *vide* order dated 24th July, 2026. Since the main offence under Section 138 of the NI Act stands closed, the present proceedings under the said FIR should also be quashed. Reliance in this regard is placed on the judgment of the Supreme Court in ***Daljit Singh v. State of Haryana and Ors.***, MANU/SC/0013/2025.
8. Mr. Mukesh Kumar, appearing on behalf of the State, opposes the said request. He submits that the offence under Section 174-A IPC is a separate and independent offence and merely because there is a settlement in relation to the proceedings under Section 138 of the NI Act, the present FIR cannot be quashed.
9. I have heard the counsel for the parties.
10. In the present case, the complaint under Section 138 of the NI Act, in connection with which the petitioner was declared a proclaimed person/offender, has already been disposed of as compounded pursuant to the settlement between the petitioner and respondent no. 2. Consequently, the underlying dispute stands resolved and the proceedings in which the



petitioner's presence was sought to be secured no longer remain pending.

11. In ***Daljit Singh*** (supra), the Supreme Court, in similar circumstances, had quashed the FIR under Section 174 of the IPC, taking note of the fact that the main case against the accused had already been closed. The relevant observations are set out below:-

“7.1 The purpose of Section 82 Cr.P.C., as can be understood from a bare reading of the statutory text is to ensure that a person who is called to appear before a Court, does so. This Section appears as part of Chapter VI which is titled ‘Process to Compel Appearance’. Section 83 to 90 provide for the additional method of attachment of property to the end of securing appearance. Necessarily then some or the other proceeding has to be ongoing for which the presence of such person is necessary. The words of the Section dictate that it can be only issued in respect of a person against whom a warrant has been issued. Neither a warrant nor proclamation subsequent can be conjured up out of thin air.

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7.3 (v) **Granted that the offence prescribed in Section 174A IPC is indeed stand-alone, given that it arises out of an original offence in connection with which proceedings under Section 82 Cr.P.C. is initiated and in the said offence the accused stands, subsequently, acquitted, it would be permissible in law for the Court seized of the trial under such offence, to take note of such a development and treat the same as a ground to draw the proceedings to a close, should such a prayer be made and the circumstances of the case so warrant.**

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10. None has disputed the above or brought to the attention of this Court such a fact that the said arrangement has not been complied with.

11. **The Appellant has been acquitted which means that there is no case for which his presence is required to be secured. Resultantly, the appeal is allowed. In the attending facts and circumstances of the case, i.e. that the original offence pertains to the year 2010; the money subject matter of dispute stands paid, the judgment of the High Court with the particulars as mentioned in paragraph 1 of this judgment, stands quashed and set aside. All criminal proceedings, inclusive of the FIR under Section 174A IPC, shall stand closed.** The Appellant’s status, as a ‘proclaimed person’ stands quashed.”

[Emphasis supplied.]



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12. In light of the aforesaid position of law, taking note of the settlement between the parties, this Court is of the opinion that the present FIR is liable to be quashed.

13. Considering the fact that the FIR has been pending for the last 2 years, the petitioner, on account of her acts and omissions, has taken up considerable time of the police and the courts in the present matter. In these circumstances, the petitioner would be liable to pay costs, which would be utilised for socially beneficial causes.

14. Consequently, FIR No.129/2024 registered at P.S. Lajpat Nagar, Delhi and the proceedings pursuant thereto, subject to the petitioner paying costs of Rs. 20,000/- to Abhyanga Foundation, 112A, 19 Surya Kiran Building, KG Marg, Connaught Place, New Delhi-110001 within six (6) weeks from today. The necessary bank details are given below:

Account Name: ABHYANGA FOUNDATION

Bank Name: ICICI BANK LIMITED

Account No. : 628405500920

IFSC Code: ICIC0006284

Type of Account: CURRENT ACCOUNT

Contact: 9899480466, 9717044848

15. The necessary compliance report shall be filed with the Registry within eight (8) weeks from today.

16. The petition stands disposed of.

AMIT BANSAL, J

OCTOBER 9, 2026
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