



2026:DHC:3234



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

*Decided on : 16.04.2026*

+ CRL.M.C. 2841/2026

BALWINDER SINGH @ BALWINDER SINGH MATTU

.....Petitioner

Through: Mr. Dhruv Dwivedi, Advocate

versus

CENTRAL BUREAU OF INVESTIGATION AND ANR

.....Respondent

Through: Mr. Mukul Katyal and Mr. Vikrant Pachnanda, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

### **J U D G M E N T**

#### **PRATEEK JALAN, J (ORAL)**

1. The petitioner has approached this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of Code of Criminal Procedure ["CrPC"]), seeking partial quashing of FIR No. RC0482025S0013 dated 11.12.2025, registered under Sections 61(2) read with Sections 143 and 318 of the Bharatiya Nyaya Sanhita, 2023 ["BNS"]
2. The petition is predicated on a settlement between the petitioner and respondent No.2, who was the complainant in the FIR.
3. The allegations in the FIR pertain to trafficking of certain persons and cheating. It is alleged that respondent No. 1, the Central Bureau of



Investigation [“CBI”], received information regarding certain young Indians being induced to migrate to the United States of America on the promise of better employment opportunities and an improved livelihood. It is further alleged that such individuals were induced to pay substantial sums of money to “*traffickers/travel agents*” for facilitating their travel, immigration, and employment in the USA. However, instead of lawful migration, the victims were allegedly made to enter the United States illegally through clandestine routes.

4. The present FIR concerns one such individual, i.e. respondent No. 2 herein, who lodged a complaint dated 24.11.2025. He stated therein that the accused persons, including the present petitioner, induced him to pay a sum of Rs. 25,00,000/-, on the assurance of arranging a work visa and securing employment in the United States of America, which was paid to the accused persons either in cash or through banking channels in January 2025.

5. The complainant was thereafter provided an air ticket from Delhi to Cairo, Egypt, and subsequently illegally transported and shifted to Managua in the Republic of Nicaragua. From there, he was allegedly facilitated to enter the United States of America through illegal entry routes, commonly referred to as “*Dunki routes*” [also described in the FIR as “*Donkey Routes*”]. However, he was apprehended by the authorities of the United States of America at the border and, thereafter deported to India on 16.02.2025. It is on the basis of these allegations that the present FIR has been registered.

6. Mr. Dhruv Dwivedi, learned counsel for the petitioner, submits that the petitioner has since settled the matter with respondent No. 2 –



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complainant, and that a Panchayati Compromise Deed dated 28.03.2026, duly signed by both the petitioner and respondent No. 2, has been placed on record. It is submitted that the said compromise deed does not contemplate any monetary settlement and merely records the understanding that the complainant shall cooperate in seeking quashing of the aforesaid FIR. Mr. Dwivedi further submits that there is no *prima facie* material against the petitioner in the present case, and that the petitioner was only engaged in providing legitimate travel agency services, for which he received a sum of Rs. 1,50,000/- towards ticket expenses.

7. Mr. Mukul Katyal, learned counsel appearing for the CBI on advance notice, opposes the request for quashing of the aforesaid FIR, submitting that this is not a case where this Court ought to exercise its inherent jurisdiction under Section 528 of the BNSS. He submits that the allegations are of a serious nature, involving the alleged inducement of vulnerable individuals to migrate abroad on the basis of false assurances of employment, and disclose a broader pattern of organised activity which necessitates a detailed and thorough investigation. Such offences, it is contended, cannot be treated as private or commercial disputes, amenable to quashing merely on the basis of an arrangement between the parties. He further submits that the investigation in the present case is still ongoing and is likely to be concluded within the next three months.

8. The power of this Court to quash criminal proceedings, even in respect of non-compoundable offences, is well settled. In *Gian Singh v.*



*State of Punjab & Anr.*<sup>1</sup> and *Narinder Singh & Ors. v. State of Punjab & Anr.*<sup>2</sup>, the Supreme Court has consistently held that the power to quash criminal proceedings can be exercised, particularly in cases where the dispute is predominantly private in nature and the criminal element is merely incidental, as opposed to cases involving heinous or serious offences having a wider societal impact.

9. The Supreme Court, in *Gian Singh* has held as follows:

*“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. **No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation,** yet certain crimes have been made compoundable in law, with or without the permission of the court. **In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice***

<sup>1</sup> (2012) 10 SCC 303 [hereinafter, “*Gian Singh*”].

<sup>2</sup> (2014) 6 SCC 466 [hereinafter, “*Narinder Singh*”].



**shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.**<sup>3</sup>

10. Further, in *Narinder Singh* the Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read 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*

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<sup>3</sup> Emphasis supplied.



*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.”<sup>4</sup>*

11. In *Parbatbhai Aahir v. State of Gujarat*<sup>5</sup>, the Supreme Court elaborated the principles in the following terms:

“ **16.4.** *While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.*

**16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.**

**16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.**

**16.7.** *As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise*

<sup>4</sup> Emphasis supplied.

<sup>5</sup> (2017) 9 SCC 641 [hereinafter, “*Parbatbhai Aahir*”].



of the inherent power to quash is concerned.

**16.8.** Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

**16.9.** In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

**16.10.** There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.

**18.** The present case, as the allegations in the FIR would demonstrate, is not merely one involving a private dispute over a land transaction between two contesting parties. The case involves allegations of extortion, forgery and fabrication of documents, utilisation of fabricated documents to effectuate transfers of title before the registering authorities and the deprivation of the complainant of his interest in land on the basis of a fabricated power of attorney. **If the allegations in the FIR are construed as they stand, it is evident that they implicate serious offences having a bearing on a vital societal interest in securing the probity of titles to or interest in land. Such offences cannot be construed to be merely private or civil disputes but implicate the societal interest in prosecuting serious crime.** In these circumstances, the High Court was eminently justified in declining to quash the FIR which had been registered under Sections 384, 467, 468, 471, 120-B and 506(2) of the Penal Code.”<sup>6</sup>

12. The same position has been reiterated in *Dinesh Sharma v. Emgee Cables & Communication Ltd.*<sup>7</sup>, wherein the Court observed that

<sup>6</sup> Emphasis supplied.

<sup>7</sup> 2025 SCC OnLine SC 929 [paragraph 23]



economic offences stand on a distinct footing from other offences, given their wider ramifications on the financial and economic system of the country. It was noted that such offences affect the economy of a country as a whole and pose a serious threat to its financial health, and therefore, cannot be viewed lightly, as doing so would erode public confidence and trust.

13. Applying these yardsticks, the FIR in the present case, in my view, does not satisfy the criteria for quashing on compromise. The allegations of human trafficking and cheating of vulnerable youth on the promise of better livelihood are not in the nature of private commercial disputes, but have a wider impact on society at large. The offence alleged is a serious one, which places vulnerable individuals in the face of physical and legal peril, as in the case of respondent No.2 herein. With the proliferation of such organised activity, the impact is in fact not just on the individual concerned, but on society as a whole.

14. Mr. Dwivedi's arguments regarding the merits of the allegations, do not persuade me to a contrary conclusion at this stage. The case is still at the stage of investigation. It is always open to the prosecution, upon completion of investigation, to take a view on the material before it, as to whether to proceed against the petitioner, and if so, on what charges. However, such a determination cannot be made at this stage by this Court. In any event, the present petition is founded on the existence of a settlement, rather than on any adjudication of the merits of the allegations.

15. Mr. Dwivedi has relied upon two decisions of the Supreme Court:



(a) In *Nikhil Merchant v. CBI*<sup>8</sup>, the proceedings arose out of a commercial dispute between a company, of which the petitioner therein was the former Managing Director, and a bank, which was the complainant. The Supreme Court, having regard to the nature of the dispute and the settlement arrived at between the parties, quashed the criminal proceedings in exercise of its inherent jurisdiction. The facts of the present case are clearly distinguishable from those in *Nikhil Merchant*. In that case, the dispute arose out of a bank–borrower relationship pertaining to a commercial credit facility, and was essentially civil and commercial in nature, confined largely to private dealings between the parties.

(b) In *Suresh C. Singal v. State of Gujarat*<sup>9</sup>, it has been held that even in cases arising out of commercial transactions and involving serious offences, criminal proceedings may be quashed in appropriate cases. The said judgment, while laying down the principles governing quashing, also takes note of the decision in *Narinder Singh, inter alia* in the context of serious offences including those under Section 307 of the Indian Penal Code, 1860. I do not find the said judgment applicable to the present case on facts, as the nature of the allegations and offence were quite different. As emphasised by the Supreme Court in the aforesaid decisions, the analysis has to be fact specific and holistic.

16. Having regard to the well-settled principles governing the exercise of inherent jurisdiction of this Court for quashing criminal proceedings on

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<sup>8</sup> (2008) 9 SCC 677 [hereinafter, “*Nikhil Merchant*”].

<sup>9</sup> 2025 SCC OnLine SC 788.



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the basis of compromise, I am of the view that the facts and circumstances of the present matter do not warrant exercise of the inherent powers of this Court.

17. The petition is, therefore, dismissed.

18. Needless to state, all rights and remedies available to the parties in accordance with law in the pending criminal proceedings shall remain open.

**PRATEEK JALAN, J**

**APRIL 16, 2026**  
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