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Resham Devi and Ors vs State of Gnct of Delhi and Anr

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Court : Delhi

Decided On : Mar-30-2026

Judge : Hon'Ble Mr. Justice Manoj Jain

Appeal No. : W.P.(CRL)/1009/2026

Appellant : Resham Devi and Ors

Respondent : State of Gnct of Delhi and Anr

Advocate for Pet/Ap. : Mr. Lokesh Kumar Mishra, Mr. Nitin Kumar, Ms. Shreya Thakur, Mr. Nikhil, Mr. Himanshu Sharma, Mr. Sanjay Lao Standing, Mr. Priyan Agarval, Mr. Abhinav Arya, Mr. Aryan Sachdeva

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of Decision: 30th March, 2026 + W.P.(CRL) 1009/2026 & CRL.M.A. 9511/2026 RESHAM DEVI AND ORS .....Petitioners Through: Mr. Lokesh Kumar Mishra, Mr. Nitin Kumar, Ms. Shreya Thakur & Mr. Nikhil, Advocates.

versus

STATE OF GNCT OF DELHI AND ANR .....Respondents Through: Mr. Himanshu Sharma, Advocate for respondent no.2 along with respondent no. 2 in person Mr. Sanjay Lao Standing counsel with Mr. Priyan Agarval, Mr. Abhinav Arya & Mr. Aryan Sachdeva, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners seek quashing of FIR no. 0067/2026 registered at Police

Station Kalyanpuri, Delhi for commission of offences under Section 316(4)/3(5) BNS (corresponding Sections 408/34 IPC) along with all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.

2. The facts in brief are that petitioner no. 3- Nandini, was working at Giri

Jewellery Mahal, which is the jewellery shop of respondent no. 2, as gold-checking clerk. On 05.03.2026 her relatives i.e. petitioner No. 1, 2, 4 & 5, came to the said shop and purchased gold jewellery worth Rs. 22,75,728/- in exchange of old gold. The exchanged metal was verified as gold by petitioner No.3. However, when the exchanged metal was, later on, checked,

it was found to be copper.

3. Fact, however, remains that parties have, with the intervention of

respected members of the locality, well-wishers, family members and friends, settled the matter. Terms of settlement have been recorded in Settlement Deed dated 19.03.2026. The petitioners have agreed to return the entire amount of Rs. 22,19,000/- to respondent no. 2. A sum of Rs. 12,00,000/- has already been returned and the balance amount of Rs. 10,19,000/- has been paid today by way of demand draft.

4. Petitioners are present in Court.

5. Respondent No.2 is also present with his counsel, I.O. is also present

and they identify her.

6. During course of the arguments, when asked, respondent no. 2

reiterates the terms of the settlement and states that the matter has been amicably settled between him and the petitioners and, since there is an apology from the side of the petitioner, and since they have agreed to return the entire amount, he is not interested in pursuing the present FIR.

7. It is, however, noticed that, in the present petition, the petitioners have

attempted to portray as if the FIR was registered on the basis of some misunderstanding, which is not a correct iteration of the facts, at all.

8. Learned counsel for the petitioner realizes his such inadvertent mistake

and expresses regret for the same. He submits that that FIR was never registered on basis of misunderstanding and his clients i.e. petitioners, are present in court and they tender their apology for the Act in question. He, however, submits that since the matter has been amicably settled between the parties, the FIR may be quashed.

9. Respondent no. 2 submits that on account of such apology by the

petitioners and the amount in question having already been returned, he has already forgiven them and would have no objection if the FIR is quashed. He also states that he has entered into the abovesaid settlement out of his own free will without any coercion and influence from any corner whatsoever.

10. Though the FIR seems to have been registered for commission of

offence under Section 316(4) BNS (corresponding Section 408 IPC), it has all the trappings of the offence of cheating, which is punishable under Section 318(4) BNS (corresponding Section 420 IPC) and is compoundable in nature.

11. Keeping in mind the overall facts of the case and the fact that parties

have settled their all disputes amicably and respondent no. 2 does not want to pursue his complaint against petitioners herein, continuing with criminal proceedings would serve no useful purpose.

12. Accordingly, exercising inherent powers vested in this Court under

Section 528 of BharatiyaNagarik Suraksha Sanhita, 2023, it is deemed appropriate to quash the instant FIR.

13. Consequently, to secure the ends of justice, FIR no. 0067/2026

registered at Police Station Kalyanpuri, Delhi for commission of offences under Section 316(4)/3(5) BNS (corresponding Sections 408/34 IPC) along with all consequential proceedings arising therefrom, is hereby quashed subject to petitioners depositing cost of Rs. 10,000/- each with Civil & Sessions Court Stenographers Association, Delhi (saving Account

No. 0613000100079946 IFSC-PUNB0061300, Punjab National Bank, Gokhle Market Branch, Delhi) within four weeks from today.

14. Proof of deposit of cost and the original MoU alongwith original

affidavits of the parties shall be handed over the concerned SHO/IO within further two weeks.

(MANOJ JAIN)

JUDGE

MARCH 30, 2026/ar/pb

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