




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous (Petition) No. 7795/2025

1. Mohammad Rahil Belim S/o Mohmmad Salim, Aged About 22 Years, 1. Resident Of Oppsite Teliyo Ki Masjid Sojti Get, Police Station Sadar Bazar, Jodhpur East. (Raj.)
2. Mohmmad Yasin S/o Mohmmad Safi, Aged About 25 Years, 2. Resident Of 119, Near Jubeda Masjid, New Road, Police Station Sadar Bazar, Jodhpur East. (Raj.)

----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Surendra Bhandari S/o Godyalchand, Resident Of Aaiport, Old Police Line, Raika Bag Jodhpur (Raj.)

----Respondents

Connected With

S.B. Criminal Miscellaneous (Petition) No. 4371/2025

1. Jishan Sheikh S/o Sh. Kashmir Mohammad Sheikh, Aged About 22 Years, Resident Of Labour Colony Pratap Nagar Bhilwara
2. Rashid @ Rashid Alam S/o Sh. Taslim Madin, Aged About 23 Years, Resident Of Nicha Khali Ps Chodhara Tehsil Utardinajpur West Bengal At Present Resident Of Labour Colony Pratap Nagar Bhilwara
3. Yunus Khan @ Lucky @ Hacker S/o Sh. Noor Mohamad, Aged About 22 Years, Resident Of Labour Colony Pratap Nagar Bhilwara

----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Surendra Bhandari S/o Sh. Godayal Chand, Resident Of Bhandari Export Purani Police Line Rai Ka Bagh Jodhpur

----Respondents

For Petitioner(s) : Mr.Buddhpal Singh
Mr. RC Joshi

For Respondent(s) : Mr.Vikram Rajpurohit, PP
Mr. Vishal Sharma

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Judgment

DATE OF CONCLUSION OF ARGUMENTS	17/02/2026
DATE ON WHICH ORDER IS RESERVED	17/02/2026
FULL ORDER OR OPERATIVE PART	Full
DATE OF PRONOUNCEMENT	06.05.2026



1. The present criminal miscellaneous petitions have been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973) seeking quashing of FIR No.07/2024 dated 25.06.2024 registered at Cyber Police Station, Jodhpur East for offences punishable under Sections 384, 419, 420 and 120-B IPC and Sections 66-C and 66-D of the Information Technology Act, 2000 along with all consequential proceedings.

2. Learned counsel for the petitioners submits that the dispute between the petitioners and respondent No.2 has been amicably resolved and the parties have entered into a compromise. It is submitted that the complainant does not wish to pursue the present criminal proceedings any further and therefore, in view of the compromise arrived at between the parties, the FIR and all consequential proceedings deserve to be quashed in exercise of the inherent powers of this Court.

3. Per contra, learned Public Prosecutor has opposed the petitions and submitted that the allegations contained in the FIR disclose commission of offences not only under the Indian Penal Code, 1860 but also under the provisions of the Information Technology Act, 2000. It is also submitted that cyber offences are not merely a private dispute between individuals but affect public confidence in digital systems and electronic transactions and



therefore cannot be quashed merely on the basis of compromise arrived at between the parties.

4. I have heard learned counsel for the parties and have carefully perused the material available on record.

5. It is well settled that the High Court, in exercise of its inherent powers under Section 482 Cr.P.C. or the corresponding provisions of Section 528 BNSS, may quash criminal proceedings where the dispute between the parties is essentially private in nature and the continuation of criminal proceedings would amount to abuse of the process of law.

6. The Hon'ble Supreme Court in **Gian Singh vs. State of Punjab, (2012) 10 SCC 303** has held that criminal proceedings involving offences which are predominantly of a civil character or arise out of matrimonial, commercial or family disputes may be quashed in exercise of inherent powers if the parties have settled the matter. Similarly, in **Narinder Singh & Ors. vs. State of Punjab, (2014) 6 SCC 466**, the Apex Court laid down guidelines governing the exercise of such powers and observed that quashing on the basis of compromise may be permissible in disputes having overwhelmingly civil flavour. However, such power is to be exercised with caution and does not extend to cases involving serious offences or offences having a wider societal impact.

7. Further, in the matter of **Parbatbhai Aahir vs. State of Gujarat, (2017) 9 SCC 641**, the Hon'ble Supreme Court held





that while considering quashing of criminal proceedings on the basis of compromise, the High Court must examine the nature and gravity of the offence, and also clarified that economic offences affecting the financial well-being of the State cannot be treated as mere private disputes and the Court would be justified in declining quashing in such cases.



“(x) There is yet an exception to the principle set out in propositions (viii) and (ix) 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.”

8. However, it is equally well settled that offences of a serious nature, or those having a wider societal impact, cannot be quashed merely on account of a compromise arrived at between the parties. In the case of **State of Madhya Pradesh vs. Laxmi Narayan, (2019) 5 SCC 688**, while relying upon the principles laid down in **Parbatbhai Aahir vs. State of Gujarat, (2017) 9 SCC 641**, the Hon’ble Supreme Court reiterated that offences of a serious nature, particularly economic offences or those having a bearing on society at large, cannot ordinarily be quashed merely on the basis of compromise between the parties. Similarly, in **CBI vs. Maninder Singh, (2016) 1 SCC 389**, the Hon’ble Apex Court observed that the inherent power of the High Court under Section 482 Cr.P.C. is to be exercised sparingly and only in cases where there is manifest injustice or abuse of process of Court, and further held that in cases of economic offences, the Court must keep in view not only the individual victim but also the society at



large, as such offences are committed with deliberate design for personal gain and have serious repercussions on the community; therefore, quashing of such proceedings merely on the basis of settlement would amount to misplaced sympathy, since such crimes are essentially public wrongs affecting society at large and cannot be treated as mere private disputes between individuals.



9. In the instant case, apart from offences registered under the Indian Penal Code, the FIR also alleges commission of offences under Sections 66-C and 66-D of the Information Technology Act, 2000. Section 66-C relates to identity theft and Section 66-D pertains to cheating by personation using computer resources. Offences of this nature involve misuse of digital identity and electronic platforms and have far-reaching implications beyond the immediate parties involved, endangering the digital ecosystem and undermining public confidence in electronic transactions. Such acts, by their very nature, transcend private disputes and assume the character of offences impacting society at large.

10. The Hon'ble Supreme Court in **Sharat Babu Digumarti vs. Government of NCT of Delhi, (2017) 2 SCC 18** has held that the Information Technology Act is a special enactment containing specific provisions dealing with offences in the electronic domain, and that where an offence pertains to electronic records, the provisions of the IT Act would have overriding effect and must be given full play. The Court further observed that once the offence relates to electronic form, the special provisions under the IT Act



would prevail and govern the field, thereby emphasizing the distinct and exclusive framework governing cyber offences.

11. Cyber crimes are therefore not merely disputes between private individuals but are offences which affect the digital ecosystem and public confidence in electronic transactions. Therefore, permitting quashing of such offences solely on the basis of compromise between the parties would defeat the purpose and object of the legislation enacted to curb cyber crimes.

12. The allegations in the FIR in the present case disclose commission of offences involving cheating and impersonation through electronic means, wherein the accused persons, by posing as police/CBI officials through phone calls and electronic communication, induced and coerced the complainant to transfer substantial amounts of money under threat of criminal action. Such offences are capable of affecting a large number of unsuspecting persons who rely upon digital platforms and electronic communication for financial and commercial transactions. In such circumstances, the offence assumes a character which transcends the private dispute between the parties and enters the realm of public interest.

13. This Court is also mindful of the fact that the inherent powers vested in it are required to be exercised with great caution. The Hon'ble Supreme Court in **M/s Neeharika Infrastructure Pvt. Ltd. vs. State of Maharashtra, (2021) 1 SCC 401** has observed that the power of quashing should be





exercised sparingly with circumspection, and only in the "rarest of rare cases," in order to prevent abuse of process of the Court or to secure the ends of justice.

14. Therefore, after considering the nature of the allegations and the statutory provisions involved, this Court is of the considered opinion that the offences alleged in the present FIR, particularly those under the Information Technology Act, cannot be regarded as purely private disputes between the parties so as to warrant quashing of the criminal proceedings merely on the basis of a compromise.

15. Consequently, this Court does not find any ground to exercise its inherent jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR No.07/2024 dated 25.06.2024 registered at Cyber Police Station, Jodhpur East.

16. It is however clarified that the observations made herein are only for the purpose of deciding the present petitions and shall not affect the merits of the case during the course of investigation or trial.

17. Accordingly, the present criminal miscellaneous petitions are dismissed.

(BALJINDER SINGH SANDHU),J

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