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

+ **CRL.M.C. 3643/2026 & CRL.M.A. 14791/2026**

BJ. CHO

.....Petitioner

Through: Appearance not given.

versus

STATE OF NCT DELHI & ANR.

.....Respondents

Through: Ms. Shiva Lakshmi, SPC, with Mr
Prasant Kumar Sharma, Adv. for R-
4.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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03.07.2026

1. The petition seeks the following reliefs:

“a. Issue appropriate orders/directions under Section 528 BNSS calling upon respondent nos. 2 and 3 to forthwith and specifically comply with all their reciprocal obligations under the Memorandum of Settlement dated 21.03.2023, including but not limited to withdrawal/disposal of Company Appeal (SB) No. 34/2013 and CP 38 (ND) 2011 and active cooperation in compounding of ROC Ct. Case Nos. 525591/2016, 524999/2016 and 1077/2022, within a time-bound schedule fixed by this Court.

b. Declare that the Memorandum of Settlement dated 21.03.2023 and the undertaking recorded in paragraph 7 of the order dated 08.04.2025 in CRL.M.C. 3152/2023 are valid, binding and enforceable, and that any breach thereof shall amount to breach of undertaking given to this Hon'ble Court, amenable to appropriate action, including contempt as per law.

c. Direct that, in the event of continued default or willful non-compliance by respondent nos. 2 and 3 with the aforesaid directions within the time granted by this Court, it shall be open to the petitioner to initiate appropriate contempt proceedings and for this Court to impose such costs or other coercive measures as may be necessary to secure compliance and uphold the sanctity of its order dated 08.04.2025.

d. Award costs of the present proceedings in favour of the petitioner and



against respondent nos. 2 and 3, jointly and severally, for having compelled the petitioner to re-approach this Hon'ble Court to enforce a settlement that had already been recognised by this Court and to protect himself from continuing prejudice.

e. Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, to prevent abuse of process and to secure the ends of justice."

2. The Court is of the considered opinion that the jurisdiction of this Court cannot be invoked to seek implementation of the Memorandum of Settlement entered into between the parties. The petitioner, however, shall be at liberty to take other remedies if available in law.

3. With these observations, petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

JULY 3, 2026/P