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

% Judgment delivered on : 13.01.2023

+ CONT.CAS(C) 148/2017

STAR INDIA PVT LTD & ANR Petitioners

versus

DIRECTOR VIKKI CHOUDHRY M/S UN CANNED
MEDIA PVT LTD & ANR Respondents

+ W.P.(C) 10724/2016 & CM APPL. 41989/2016, CM APPL.
43350/2016, CM APPL. 6242/2017, CM APPL. 19702/2017, CM
APPL. 22186/2017, CM APPL. 29037/2017, CM APPL. 14410/2018

UN-CANNED MEDIA PVT LTD & ANR Petitioners

versus

MINISTRY OF INFORMATION &
BROADCASTING & ORS Respondents

+ CONT.CAS(C) 445/2017

STAR INDIA PVT LTD & ANR Petitioners

versus

VIKKI CHOUDHRY & ORS Respondents

+ CONT.CAS(C) 565/2017

STAR INDIA PVT LTD & ANR Petitioners

Neutral Citation Number : 2023/DHC/000275

versus

VIKKI CHOUDHRY Respondent

+ CONT.CAS(C) 267/2018

STAR INDIA PVT LTD & ANR Petitioners

versus

VIKKI CHOUDHRY & ORS Respondents

+ CONT.CAS(C) 546/2018 & CM APPL. 35453/2018 & CM APPL. 42373/2019

STAR INDIA PVT LTD & ANR Petitioners

versus

VIKKI CHOUDHRY & ORS Respondents

+ W.P.(CRL) 2311/2017 & CRL.M.A. 13067-68/2017

STAR INDIA PVT LTD & ANR Petitioners

versus

STATE & ANR Respondents

Advocates who appeared in this case:

For the Petitioners – Star India Pvt. Ltd:

Mr. Rajiv Nayar and Mr. Dayan Krishnan, Senior Advocates with
Mr. Sidharth Chopra, Mr. Yatinder Garg, Mr. Naman Tandon, Mr.
Vasu Singh and Mr. Akshay Agarwal, Advocates

Signature Not Verified

Digitally Signed
By: KUNAL MAGGU
Signing Date: 16.01.2023
14:45:32

CONT.CAS(C) 148/2017 & other connected matters

Neutral Citation Number : 2023/DHC/000275

For the State: Mr. Yasir Rauf Ansari, Addl. Standing Counsel with Mr. Adeeb Ul- Hasan, Advocate for the State

For Un-canned Media Pvt. Ltd. and Mr. Vikki Choudhary:
Ms. Avnika Mishra, Advocate with Mr. Vikki Choudhary (through Video Conferencing)

For Union of India:
Mr. Rakesh Kumar, CGSC with Mr. Sunil, Advocate for UOI.

Inspector Sanjeev Solaki of The Intelligence Fusion & Strategic Operations, of the Delhi Police under the Special Cell.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

W.P.(C) 10724/2016

1. Petitioner through this petition had sought directions against the respondent nos. 1 and 2 for taking action against the alleged illegal action of respondent nos. 3 and 4.
2. Petitioner No. 2 – Mr. Vikki Choudhry was a majority shareholder in petitioner No. 1 and was also its Director and Authorized Representative. Mr. Vikki Choudhry, who is connected through VC submits that the company petitioner no. 1 has been stuck off the records of the Registrar of Companies.
3. Petitioner No. 2, respondent no. 3 and 4 were referred to mediation and mediation settlement dated 13.11.2022 has been

entered into. Copy of the settlement has been placed on record of W.P. (Crl.) 2311/2017.

4. I have perused the terms of the settlement and find the same to be lawful.

5. Mr. Vikki Choudhry who is connected through video conferencing seeks leave to withdraw the petition in view of the settlement between the parties.

6. In view of the above, the writ petition is dismissed as withdrawn.

7. Since this settlement is between two private individuals, the same will have no bearing on the rights or action of respondent nos. 1 and 2 – Union of India and would be without prejudice to their rights and contentions.

**CONT.CAS(C) 148/2017, CONT.CAS(C) 445/2017,
CONT.CAS(C) 565/2017, CONT.CAS(C) 267/2018 &
CONT.CAS(C) 546/2018**

8. Petitioners seek leave to withdraw the petitions pursuant to the settlement agreement dated 13.11.2022.

9. Keeping in view the settlement between the parties and the nature of allegations, I am on the opinion that it would not be expedient or in the interest of justice to initiate proceedings of

contempt against the respondents.

10. In view of the above, the Petitions are dismissed as withdrawn.

W.P.(CRL) 2311/2017

11. Petitioners seek quashing of FIR No. 238/2017 under Sections 67-A of the Information Technology Act, 2000, Section 292/293 read with Section 34 of the IPC and Section 4 of the Indecent Representation of Women (Prohibition) Act, 1986, Police Station New Friends Colony, New Delhi.

12. Complainant – Mr. Vikki Choudhry who is appearing through video conferencing submits that the complaint was lodged pursuant to a response received from the Union of India, however, he submits that since he has already settled his disputes with the respondents, he does not wish to press the complaint any further and seeks leave to withdraw the same and further submits that he has no objection to the quashing of the subject FIR. Copy of an affidavit to the above extent has been annexed with the settlement agreement.

13. Duly sworn affidavit dated 30.11.2022 has been tendered in Court. Mr. Vikki Choudhry confirms the affidavit that is tendered in Court. Accordingly, the same is taken on record.

14. This Court has perused the allegations made based on which the FIR has been registered and find that the allegations overwhelmingly

and pre-dominantly are having a civil flavour and emanate out of disputes of purely private nature.

15. This Court is satisfied that the allegations based on which the subject FIR was registered falls within the parameters laid down by the Supreme Court in '*Ram Gopal & Anr. Vs. State of Madhya Pradesh, 2021 Online SC 834*' and as such I am satisfied that the ends of justice would be served in case the subject FIR is quashed.

16. In view of the above, FIR No. 238/2017, under Sections 67-A of the Information Technology Act, 2000, Section 292/293 read with Section 34 of the IPC and Section 4 of the Indecent Representation of Women (Prohibition) Act, 1986, Police Station New Friends Colony, New Delhi and all proceedings emanating there from are hereby quashed.

17. All the petitions are disposed of in terms hereof.

SANJEEV SACHDEVA, J

JANUARY 13, 2023
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