



\$~55

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 245/2025 & CRL.M.A. 1252/2025**
NEHA GUPTAPetitioner

Through: Mr. Saurabh Gupta, Ch. Leela Sarveshwar, Mr. C. Raghavendren and Ms. Usha Rani, Advocates.

versus

ST. ANGEL SR. SEC. SCHOOL & ORS.Respondents
Through: Mr. Nitesh Mehra, Ms. Hitaakshi Mehra, Ms. Angel Bhardwaj, Ms. Neshu and Mr. Archit Bhardwaj, Advocates for R-1 & 2.
Mr. Hemant Mehla, APP with Ms. Ananya Luthra, Advocate.
SI Bharat, P.S. KNK Marg.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
17.01.2025

%

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Article 227 of the Constitution of India, seeking quashing of Complaint Case No. 6331/2016, pending before the JMFC, Dist. North, Rohini Courts, and the proceedings emanating therefrom.
2. In the instant matter, the Complainant has settled the matter with all the accused, except the Petitioner. According to the Petitioner, the impugned complaint has been filed in retaliation to FIR registered by the Petitioner



against the school authorities. The said FIRs bearing Nos. 355/2010 and 30/2010 were registered against Mr. Ashutosh Bhardwaj, the erstwhile manager of the school for misappropriation of the salary amount of the Petitioner. The FIRs are pending consideration before the concerned Court. As far as the impugned complaint case is concerned, the matter is at the stage of arguments on charge.

3. In light of the foregoing, counsel for Petitioner seeks to withdraw the present petition with liberty to raise all the grounds urged in the present petition at the stage of the charge.

4. Dismissed as withdrawn with liberty as aforesaid.

5. The Court has not commented on the merits of the case. The Petitioner shall be free to raise all such grounds before the Trial Court at the stage of charge, which shall be considered on their own merits, in accordance with law.

6. With the above directions, the present petition is disposed of.

SANJEEV NARULA, J

JANUARY 17, 2025

as