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

+ **W.P.(CRL) 1001/2025**

YOG DHYAN AHUJA & ORS.

.....Petitioners

Through: Mr. Pramod Gupta, Ms. Himanshi
and Mr. Umang Dixit, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Amol Sinha, ASC for State with
Mr. Kshitiz Garg, Mr. Ashvini
Kumar, Mr. Nitish Dhawan and
Ms. Sanskriti Nimbekar, Advocates
with Ms. Pooja, SI, PS-Preet Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

18.07.2025

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1. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (earlier Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 237/2012 under Sections 468/471 of the Indian Penal Code, 1860³, registered at P.S. Preet Vihar, Delhi and all other proceedings emanating therefrom. The request for quashing is premised on a settlement between the Petitioners and the Complainant/ Respondent No. 2.

2. Briefly stated, the case of the Prosecution emanates from a complaint filed by Respondent No. 2, alleging that she was working as a teacher at Vivekanand School, situated at F- Block, Preet Vihar, where her services

¹ "BNSS"

² "Cr.P.C."

³ "IPC"



were illegally terminated by the Petitioners, wherein Petitioner No. 1 is working as the Chairman, Petitioner No. 2 as the Director and Petitioner No. 3 as the Principal of the School. She alleged that the Petitioners forced her and other teachers to sign the salary register for receipt of full salary, despite being paid half of the amount. Any form of resistance to this practice, according to Respondent No. 2, was met with either persistent harassment or coercion by the Petitioners, often resulting in teachers being compelled to resign. She specifically alleges that on 30th September 2011, when she objected to such treatment, she was unlawfully detained and physically assaulted within the school premises by the Petitioners, who then attempted to force her resignation. Consequently, pursuant to the Complainant's statement, the impugned FIR was registered under Sections 468/471 of IPC.

3. The Petitioners seek quashing of the impugned FIR based on a settlement arrived at between them and Respondent No. 2, which formed a part of the judicial proceedings in W.P.(C) 2391/2019 decided on 28th May, 2024. Taking note thereof, this Court on 28th March, 2025, had passed the following order:

“CRL.M.A. 9486/2025 (Exemption)”

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

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4. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023⁴ (earlier Section 482 of the Code of Criminal Procedure, 1973⁵) seeks quashing of FIR No. 237/2012 under Sections 468 and 471 of the Indian

⁴ “BNSS”

⁵ “Cr.P.C.”



Penal Code, 1860⁶, registered at P.S. Preet Vihar, Delhi and all other proceedings emanating therefrom.

5. The Petitioners seek quashing of the impugned FIR on the basis of a settlement arrived at between them and the Complainant – i.e., Respondent No. 2, which formed a part of the judicial proceedings in W.P.(C) 2391/2019 decided on 28th May, 2024. In the said order, as regards the impugned FIR, the understanding arrived at between the parties has been recorded as follows:

“9. Mr. Goel, learned counsel for the petitioner, submits that there is an FIR No.237/2012, under Section 468/471 IPC, registered at P.S. Preet Vihar, Delhi, got registered by the petitioner against respondent nos.2 to 4, pending before the Court of Ms. Vasundra Azad, ACMM in case titled State vs. Yogdhayam Ahuja & Ors. He submits that the charge-sheet is yet to be filed in that case. He further submits that the petitioner would have no objection in case, the respondent nos.2 to 4 file an appropriate petition before this Court seeking quashing of the said FIR and the petitioner would participate and cooperate in the same unconditionally.”

6. In fact, in this regard, in the present petition, the Petitioner has annexed a No Objection Certificate given by Respondent No. 2 to the quashing of the impugned FIR. At this juncture, it is noted that the copy of the NOC which is on the record is incomplete. Counsel for the Petitioner states that an error has occurred in scanning and he seeks permission to file a fresh copy of the NOC. Let the same be done within three days from today.

7. Nonetheless, the copy of the said NOC has been handed over across the board, for the perusal of this Court.

8. In the said NOC, Respondent No. 2 has categorically stated that she has no objection to quashing of the impugned FIR No. 237/2012 and all other consequential proceedings emanating therefrom, subject to the realization of the remaining settlement amount of INR 1,50,000/-, which has remained unpaid by the Petitioners.

9. As regards the aforementioned amount, it is noted in the order dated 28th May, 2024 in W.P.(C) 2391/2019, the parties had agreed to withdraw all pending petitions, however, according to the Petitioner, two cases still remain pending, as mentioned in Paragraph 11 of the writ petition, which are yet to be withdrawn by the Respondent No. 2. Hence, it is submitted that since the cases are not being withdrawn by Respondent No. 2, the balance payment of Rs.1,50,000/- is being withheld.

10. Nonetheless, counsel for the Petitioner states on instructions that the Petitioner is willing to deposit the remaining settlement amount of Rs.1,50,000/- with the Registrar General of this Court. Let the same be done within a week from today.

11. Renotify on 14th July, 2025.”

4. In compliance with the aforementioned order, a fresh copy of the No

⁶ “IPC”



Objection Certificate⁷ on behalf of Respondent No. 2 has been placed on record. As per Paragraph No. 5 of the NOC, out of the total settlement amount, i.e., INR 17,50,000/-, Respondent No. 2 has already received a sum of INR 16,00,000/-. The remaining amount of INR 1,50,000/- has also been deposited by the Petitioners with the Registrar General of this Court.

5. It has also been pointed out by the Petitioners that pursuant to the settlement, Respondent No. 2 had to withdraw the cases mentioned in Paragraph No. 11 of the writ petition, details whereof are as follows:

Particulars	Court
Case No. Gr./06/E/2021 Smt. Renu Kapoor v. VSS & Ors.	Pending before Office of the Controlling Authority, Labour Deptt under the Payment of Gratuity Act 1972, Karkardooma, Delhi. Labour Court has passed order dated 26.04.2024 that the application has been kept <i>sine die</i> as the legality of termination is pending in the High Court.
Complaints lodged by Smt. Renu Kapoor, Lalit Mohan Gupta, Prem Lata, Girish Gupta Rustogi, Smt. Honey Sharma, Neelima Wahi, Neeraj Singh. Asha Rani	ATA No. 915(04)/2014/94 Central Govt. Industrial Tribunal cum Labour Court, Rouse Avenue

6. Respondent No. 2 is present in person along with counsel. She has handed over a copy of order dated 8th May, 2025 passed by the Controlling Authority, Labour Department under the Payment of Gratuity Act 1972, closing Respondent No. 2's application filed before the Controlling Authority. A copy of the said order has been supplied to counsel for the Petitioners and is also taken on record. In terms of this order, the proceedings mentioned at Serial No. 1 of the aforesaid table stand concluded. Respondent No. 2 has also handed over a signed copy of an application dated 18th July, 2025 addressed to the Regional Provident Fund

⁷ "NOC"



Commissioner, stating that she does not wish to pursue her complaint filed with them in light of the settlement between the parties and makes a reference to the order dated 28th May, 2024 in W.P. (C.) 2391/2019.

7. Mr. Pramod Gupta, counsel for the Petitioners, states that he shall now submit the said application before the concerned officer for closure of the proceedings mentioned at Serial No. 2 of the above-extracted table.

8. In light of the above, Respondent No. 2 and her counsel, both categorically and unequivocally, state that they do not wish to continue with the proceedings mentioned at Serial Nos. 1 and 2 above and the same may be closed. Respondent No. 2 also confirms her statement, and gives no objection to the quashing of the subject FIR.

9. At the same time, it has been brought to the notice of the Court by Mr. Amol Sinha, ASC for State, that the Investigating Officer has filed a closure report in the subject FIR before the concerned Court, which has been accepted by order dated 6th March, 2025.

10. In light of the above, the following directions are issued:

a. The Registry is directed to release the amount of INR 1,50,000/- deposited with them by the Petitioners in favour of Respondent No. 2.

b. FIR No. 237/2012, P.S. Preet Vihar, Delhi and all other proceedings emanating therefrom stands quashed.

11. In light of the above, the petition is disposed of.

12. Parties shall remain bound by the terms of settlement and the undertaking given to the Court, as noted above.

SANJEEV NARULA, J

JULY 18, 2025/nk