



\$~90

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

+ **W.P.(CRL) 1249/2025 & CRL.M.A. 11777/2025 (for directions)**

JOSLYN NANDITA CHOUDHARY

.....Petitioner

Through: Mr. Shafik Ahmed, Mr. Naman
Dwivedi, Advocates.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Advocate and SI
Mahipal Singh, PS- Civil Lines.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

21.04.2025

%

1. This is a petition under Article 226 of the Constitution of India read with Section 528 BNSS, 2023, seeking enforcement of settlement deed and directions of police action and injunction against continued fraudulent activities of respondent Nos. 3 to 7.
2. Learned counsel appearing for the petitioner submits that petitioner had co-founded Aarambh in November, 2021 with objective of working for marginalized communities. The petitioner and her father are the legal trustees of the organization. It is submitted that respondent Nos. 3 to 7 were temporarily associated with the NGO in non-trustee positions, but they unlawfully took control, created false digital accounts, misappropriated funds and organized events in the NGO's name without permission.
3. It is further submitted that despite an agreement executed by virtue of



Settlement Deed dated 04.03.2025, respondent Nos. 3 to 7 are continuing with the unlawful actions by creating false digital platform, misappropriating funds and falsely representing themselves as the leader of the NGO. Petitioner approached the police with complaints, but no action has been taken, leading the petitioner to seek judicial intervention.

4. Learned ASC appearing for the State submits that petition is not maintainable inasmuch as all the reliefs sought in prayer paragraph are civil in nature and, therefore, petitioner should approach for the civil remedies. She further submits that petitioner made complaint with Police Station Civil Lines, however, the jurisdiction lies with Police Station Roop Nagar.

5. In rebuttal, learned counsel for petitioner states that initially petitioner had made complaint at Police Station Roop Nagar, but was informed that Police Station Roop Nagar does not have jurisdiction, and therefore, complaint was filed at Police Station Civil Lines.

6. Learned counsel for respondent Nos. 3 to 7 submits that respondents have duly complied with the Settlement Agreement and are operating in the name and style of “Sankalp”.

7. In view of statement made by learned counsel for respondents as also the fact that remedies sought are essentially civil in nature, the petition filed before this Court is not maintainable, and is accordingly dismissed.

RAVINDER DUDEJA, J

APRIL 21, 2025/vd