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

+ CRL.M.C. 1434/2012

R C SHARMA

.....Petitioner

Through: Mr. Ikrant Sharma, Ms. Ira Arora,
Ms. Priyanka Verma, Ms. Veena
Bishnoi and Mr. Ankit Jain,
Advocates.

versus

STATE & ANR

..... Respondents

Through: Mr. Hemant Mehla, APP for State.
Mr. Sanjoy Kumar Ghosh and
Ms. Rupali S. Ghosh, Advocates for
R-2. Respondent No.2 through VC

+ CRL.M.C. 1492/2012

M.P. SHARMA & ANR

.....Petitioners

Through: Mr. Ikrant Sharma, Ms. Ira Arora,
Ms. Priyanka Verma, Ms. Veena
Bishnoi and Mr. Ankit Jain,
Advocates.

versus

STATE & ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State.
Mr. Sanjoy Kumar Ghosh and
Ms. Rupali S. Ghosh, Advocates for
R-2.

+ CRL.M.C. 1500/2012

KAVITA & ANR

.....Petitioners

Through: Mr. Ikrant Sharma, Ms. Ira Arora,
Ms. Priyanka Verma, Ms. Veena
Bishnoi and Mr. Ankit Jain,



Advocates.

versus

STATE & ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State.
Mr. Sanjoy Kumar Ghosh and
Ms. Rupali S. Ghosh, Advocates for
R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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27.03.2025

1. The present petitions have been filed under Section 482 of Criminal Procedure Code, 1973¹ (now Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023²), *inter-alia* seeking quashing of order dated 7th March, 2012, summoning the Petitioners for offence under section 3(1)(x) of the scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989,³ arising from Criminal Complaint Case No. 1415/1/10 at PS: Janakpuri, Delhi.

2. Briefly stated, the Complainant/Respondent No.2 has alleged that the Petitioners, who worked in the same department as him in the Delhi Fire Service, made caste-based slurs against him and subjected him to harassment, humiliation, and stress, thereby meeting the criteria for offence under the SC/ST Act. Five of the accused in the said complaint have filed the above captioned petitions challenging the summoning order dated 7th March, 2012 and seeking the quashing of Criminal Complaint case No. 1415/1/10. The specific details of the same are as follows:

¹ "CrPC"

² "BNSS"



- a. Accused No.3 (Mr. R.C Sharma) filed Crl. M.C. 1434 of 2012
 - b. Accused No. 2. (Mr. KK Sharma) and Accused No 1 (Mr. M.P Sharma) filed Crl M.C. 1492 of 2012
 - c. Accused No. 4 (Ms. Kavita) 5 (Ms. Reema) filed Crl.M.C 1500 of 2012.
3. Counsel for the Petitioners submits that the parties are known to each other, being employed in the same place, and that during the pendency of the present proceedings, they have arrived at a settlement dated 3rd March, 2025.⁴ As per the settlement agreement, the parties have resolved all their personal differences and arrived at an amicable settlement. The settlement agreement also refers to other disputes between the parties, which too have been put to rest by way of the settlement agreement.
4. The Petitioners who are present in person before the court and Respondent No.2, who has joined the proceedings through video-conferencing mechanism, jointly request that the impugned criminal complaint and all consequential proceedings arising therefrom be quashed. All the individuals have been identified by their respective counsel as well as the Investigating Officer. Respondent No. 2/Complainant affirms the Settlement terms and consents to quashing of the Complaint.
5. Mr. Rahul Tyagi, ASC for the State, opposes the quashing of the criminal complaint on the ground that the allegations are serious in nature being under section 3(1)(x) of the SC/ST Act.
6. The Court has heard the submissions made on behalf of both the parties. Respondent No.2, on being asked, states that he has voluntarily

³ SC/ST Act

⁴ "Settlement"



entered into the compromise without any duress or undue influence.

7. Notably, the offences in question are non-compoundable, and Petitioners are implicated under section 3(1)(x) of the SC/ST Act, which is a serious and heinous offence. The Court is conscious that ordinarily, when dealing with offences arising out of special statutes such as the SC/ST Act, the court should be extremely circumspect in its approach. However, in appropriate and exceptional circumstances, the Court can exercise its inherent jurisdiction to quash criminal proceedings, where the factual matrix and the interest of justice so warranted.

8. At this juncture, it is relevant to note that this Court, the Supreme Court in ***Ramawatar v. State of Madhya Pradesh***,⁵ has held as under:

“17. On the other hand, where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. On similar lines, when considering a prayer for quashing on the basis of a compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes unpunished, the mere fact that the offence is covered under a "special statute" would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482 CrPC.”

9. The parties are known to each other, working in the same department and disputes arose between them during their employment, resulting in the filing of the criminal complaint. The complaint reveals that there were other disputes between the parties. Ms. Reema, Mrs. Kavita and Mrs. Rekha had filed sexual harassment complaint against Respondent No.2. Nonetheless, the parties being employed in the same place, have now amicably arrived at



a settlement and jointly request for the court to quash the proceedings. On a specific query put by this court, Respondent no. 2 has stated that he entered into the settlement of his own free will and without any coercion thereby agreeing to drop criminal proceedings. The Petitioners are not involved in any other case of similar nature and all the pending disputes between the parties have been put to a rest. In light of the fact the factum of settlement and no objection from Respondent No.2, in the opinion of the court no useful purpose will be served in continuance of the present criminal proceedings and the same would amount to abuse of process of law.

10. In view of the foregoing, without going into the merits of the case, the Criminal Complaint Case No. 1415/1/10 at PS: Janakpuri, Delhi, is quashed. Accordingly, all proceedings emanating therefrom, including the summoning order dated 7th March, 2012, are also quashed.

11. It is expected that the parties shall abide by the terms of settlement.

12. Accordingly, the petitions are disposed of.

13. Pending applications, if any, are disposed of as infructuous.

SANJEEV NARULA, J

MARCH 27, 2025/nk

⁵ 2021 SCC OnLine SC 966