



\$~7 & 8

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

% *Date of Decision: 7th February, 2026*

+ W.P.(CRL) 1638/2023 & CRL.M.A. 15263/2023 & CRL.M.A. 23803/2023

SMT. SARITA BATRA

.....Petitioner

Through: Mr. Sanjeev Mahajan and Ms. Simran, Rao, Advocates along with petitioner-in-person

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents

Through: Mr. Amol Sinha (ASC) with Mr. Manan Wadhwa, Kshitiz Garg and Mr. Ashvini Kumar, Advocates for State
Mr. Bhupender Singh and Mr. Shubham Sagar, Advocates for R-2/
Complainant
SI Nitesh Singh, PS Mukherjee Nagar

+ W.P.(CRL) 1346/2024 & CRL.M.A. 13215/2024

MOHINDER KUMAR CHADHA

.....Petitioner

Through: Mr. Rama Nath Jha, Mr. Yogyan Mishra and Mr. Abhishek Raj, Advocates

versus

GOVT OF NCT DELHI THROUGH SHO & ANR.Respondents

Through: Mr. Sanjeev Bhandari, ASC (Criminal) along with Mr. Arjit Sharma and Ms. Sakshi Jha, Advocates for State
Mr. Bhupender Singh and Mr. Shubham Sagar, Advocates for R-2/
Complainant
SI Nitesh Singh, PS Mukherjee Nagar

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Both the aforesaid petitions are connected.
2. Mr. Ram Prakash Chaudhary (respondent no. 2 in both the petitions) was, at the relevant time, posted as Post Graduate Teacher (Mathematics) in



Govt. Boys Senior Secondary School, Rohini, Delhi. He was charged with misconduct of tampering and altering marks of some of the students which resulted in initiation of departmental proceedings against him.

3. In such departmental proceedings, Ms. Sarita Batra [petitioner in W.P. (CRL)1638/2023] was made Inquiry Officer and Mr. Mohinder Kumar Chadha [petitioner in W.P. (CRL) 1346/2023] was appointed Presenting Officer.

4. According to complainant Mr. Ram Prakash Chaudhary, during pendency of the aforesaid inquiry proceedings, there were casteist remarks by both of them, which resulted in registration FIR No. 559/2019 dated 05.11.2019, registered at PS Shalimar Bagh.

5. Initially, a petition was filed seeking quashing of the aforesaid FIR but fact remains that in the interregnum, a cancellation report was laid before the learned Trial Court and, therefore, aforesaid quashing petition was not pursued with and was permitted to be withdrawn.

6. Learned counsel for petitioners submits that they were under the impression that cancellation report has been filed and accepted whereas while considering the cancellation report, though learned Trial Court did not find any infirmity in such final report, so far as it related to cancellation in context of offence under Section 3 (1) (r) & (s) of *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989*, it observed that there was act of 'wrongful confinement' and 'criminal intimidation' punishable under Section 3 (2)(va) of *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989* and took cognizance, while also disposing of the protest petition filed by respondent no. 2.

7. Such summoning order dated 09.05.2023 is under challenge.

8. Simultaneously, there is request for quashing of aforesaid FIR, for the reason that the aforesaid offences are not made out.



9. It has, now, been apprised that even otherwise, matter has been amicably settled between the parties.
10. Complainant i.e. respondent no. 2 Mr. Ram Prakash Chaudhary is present in person with learned counsel Mr. Bhupender Singh and Mr. Shubham Sagar.
11. Respondent no. 2 seeks to place on record his affidavit.
12. Such affidavit is to the effect that he has resolved all his disputes with the petitioners and now he is left with no grievance against them. It also mentions that he would have no objection if FIR in question i.e. FIR No. 559/2019, registered at Police Station Shalimar Bagh is quashed. It is also mentioned therein that dispute had arisen on account of some misunderstanding, which has been amicably and fully resolved.
13. Respondent no. 2 reiterates the facts mentioned in his said affidavit and submits that he has signed the affidavit after understanding and comprehending its contents. He, however, also prays that let it also come on record that in view of amicable resolution, no action shall be taken by the petitioners, in relation to the FIR in question.
14. Affidavit is taken on record.
15. Both the petitioners are present and they submit that there is no question of their taking any action in the matter and they also assure and undertake not to take any further action, of any nature whatsoever, in the matter.
16. Their such undertakings are taken on record.
17. As already noted above, both the petitioners have been summoned for committing offence of wrongful confinement, intimidation and for related offences under *Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989* i.e. Section 3 (2)(va) of *Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989*.



18. Keeping in mind the overall facts and circumstances of the case, the age of the incident and the fact that respondent no. 2, who is the real aggrieved person, has given his no objection for the quashing of FIR in question, both the aforesaid petitions are disposed of while directing that FIR No. 559/2019 dated 05.11.2019, registered at Police Station Shalimar Bagh and all the proceedings emanating from the said FIR stand quashed.

19. Needless to say, since FIR and all the proceedings emanating from the said FIR have been quashed, the aforesaid summoning order dated 09.05.2023, which is impugned herein, does not survive anymore and such order also stands set aside.

20. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

FEBRUARY 7, 2026/dr/js