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

+ **W.P.(CRL) 1001/2025 with CRL.M.A. 9486/2025**

YOG DHYAN AHUJA & ORS.

.....Petitioners

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

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Amol Sinha, ASC (Crl.) with Mr.
Kshitiz Garg, Mr. Ashvini Kumar,
Mr. Nitish Dhawan, Mr. Mukesh
Kumar Saini, Advocates with SI
Vicky Kumar, PS Preet Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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28.03.2025

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.

W.P.(CRL) 1001/2025

4. 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 and 471 of the Indian

¹ "BNSS"



Penal Code, 1860³, 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 Certificate⁴ 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

² “Cr.P.C.”

³ “IPC”

⁴ “NOC”



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.

SANJEEV NARULA, J

MARCH 28, 2025/PB