



2026:DHC:2700



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

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*Reserved on: 12th January, 2026
Pronounced on: 01st April, 2026*

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W.P.(CRL) 1622/2021 & CRL.M.A. 13581/2021

RANJIT KAUR

W/o Sh. S.S. Chawla,

R/o A-8/40, 2nd Floor, Rana Pratap Singh,

New Delhi.

.....Petitioner

Through:

Mr. N. Hariharan, Sr. Advocate with
Mr. Vaibhav Sharma, Ms. Urvashi
Sharma and Mr. Vinayak Gautam
Advocates.

versus

1. **STATE N.C.T. OF DELHI**

2. **DR. NEELAM**

Professor, Hindi Department

Laxmi Bai College, DU, Delhi

....Respondents

Through:

Ms. Rupali Bandhopadhyaya, ASC for
State with ACP Garima Tiwari, Insp.
Yashwant and SI Sonal Raj, P.S.:
Bharat Nagar.
Ms. Pooja Roy, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T

NEENA BANSAL KRISHNA, J.

1. Petition under Article 226 of the Constitution of India read with 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C."*) has been filed on behalf of the **Petitioner, Ranjit Kaur** seeking



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quashing of FIR No. 0512/2021 under Sections 323/504 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC"*) and Section 3 of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (*hereinafter referred to as "SC/ST Act"*), P.S. Bharat Nagar, Delhi and all the proceedings emanating therefrom.

2. The Petitioner states that she is an Associate Professor in-Charge of the Hindi Department, Lakshmibai College, Delhi, and is a law-abiding citizen having clean antecedents. The Complainant also happens to be the Associate Professor, in the same College. A Departmental Meeting of the Teachers was held on 16.08.2021, in relation to preparations regarding the National Assessment and Accreditation Council ("*NAAC*"). The Minutes of the Meeting were prepared, which were required to be signed by the respective members who had participated in the meeting.

3. The Minutes were thus, circulated to each member for their respective signatures, but when it came to the Respondent No.2/Complainant, Dr. Neelam to sign, she stated that she would read them at her ease, which may take one to two hours, and she would sign only thereafter.

4. The Petitioner requested the Complainant to read and sign the same, as the Minutes of the Meeting hardly comprised of four lines, and the website updates in relation to NAAC was required to be done, and the same could not be unnecessarily delayed. The Petitioner asked the Complainant to give back the Register, as she started to take it along with her. The Petitioner tried to take the register back, on which the Complainant pulled her hair, and in the process, a page of the Register was torn by the Complainant. The



Petitioner made a Complaint to the Principal, a copy of which was annexed with the plaint.

5. It was further stated that the Complainant also made a hand-written *Complaint to the Principal on the day of the alleged incident, i.e., 16.08.2021*, which was the first version placed before the Principal and was written by the Complainant. In this Complaint, there was not a whisper about any casteist remark being made or her being humiliated as a member of the Scheduled Caste (“SC”), or of any ill-treatment because she belonged to the SC community.

6. The Complainant also preferred a *Complaint on the same day, i.e., 16.08.2021 in the P.S. Bharat Nagar, Delhi*. This Complaint was also in the handwriting of the Complainant and had no allegation whatsoever of any sort of humiliation by the Petitioner, or any incident in regard to her being a member of SC/ST community. *As per her own Complaint, there was no allegation of her being subjected to any atrocity.*

7. The Complainant thereafter, preferred a *second Complaint before the Principal on 17.08.2021*, which was a complete improvement of the earlier story, given by her in writing *via Complaint to the Principal on the previous day*. The casteist remarks were deliberately mentioned in an afterthought fashion in the second Complaint, which shows that the Complaint was manifestly attended with *mala fides* and had been instituted with an ulterior motive for wreaking vengeance and because of private and personal grudges against the Petitioner.

8. The Petitioner claimed that she had good harmony with the Complainant and other fellow staff members and always respected the



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Complainant, and there was no complaint at any time. The relevant WhatsApp chat communication with the Complainant, proves to the contrary as to what has been belatedly stated in the subsequent Complaint, which has been surreptitiously converted into the FIR.

9. The Petitioner further submitted that the FIR was subsequently registered on a belated Complaint dated 23.08.2021. The earlier Complaint dated 16.08.2021 filed in the Police Station, has been done away. The FIR has been registered on this subsequent Complaint instead of the original Complaint dated 16.08.2021. The material improvements and the concoction of the facts in the well-drafted complaint, is nothing but an afterthought, and the allegations made against this Petitioner are false.

10. The *quashing of the FIR is sought on the grounds* that it is an abuse of process of law and has been registered on the complaint with an intent to arrest the Petitioner and is liable to be quashed. The Complaint is an outcome of malice and is intended to spite her due to private and personal grudges.

11. Furthermore, the Complaint is *vague and absurd*, as it does not even mention under which clause or sub-clause of Section 3 of SC/ST Act, has it been registered. Even if the allegations made in the Complaint are taken at their face value and accepted in their entirety, it does not constitute a *prima facie* offence against the accused. The contents of the Complaint are inherently improbable, on the basis of which no prudent person can ever reach a just conclusion that there is any ground to proceed against the Petitioner.



12. In order to constitute an offence under Section 3 of SC/ST Act, *there has to be intentional insult or intimidation coupled with intention to humiliate only because the person concerned belongs to SC/ST community.* However, in the instant case, none of these ingredients are made out. The Complainant and the Petitioner have been working in the same department for over 08 years, and there has been no complaints ever in the past.

13. Reliance is placed on *Parbat Bhai Aahir vs. State of Gujarat* (2017) 9 SCC 641.

14. *A prayer is, therefore, made that the FIR may be quashed.*

15. The ***Respondent No.2/Complainant, Dr. Neelam*** has filed her ***Reply to the Petition***, wherein it is not denied that NAAC meeting had taken place in the College premises on 16.08.2021 at around 11:00 AM, which was attended by total 16 people. The Minutes of the Meeting were prepared at the end of the meeting, and the Petitioner, who was the teacher in-charge, told everyone to sign the minutes. The register was passed on to every Professor. When it reached the Complainant, she wanted to read the contents of the Minutes of the Meeting, which offended the Petitioner and she started pressurizing her to sign it without reading. At around 12:20 PM, when she refused to sign without reading, the Petitioner caught hold of her and snatched the register from her. She also slapped her on the right cheek in front of all the colleagues for not signing the Minutes of the Meeting without reading them.

16. The Respondent No. 2 asserts that she had recently got surgery done on her face, and when the Petitioner slapped her, she was not only physically abused but was also mentally and publicly humiliated.



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17. She further stated that at 03:00 PM, she went to the Principal to inform her about the entire incident and requested to register the Complaint. However, instead of accepting the Complaint, she was asked by the Principal to settle the matter.

18. At about 04:09 PM, an email was sent by the Complainant to Lakshmibai College, wherein she mentioned that the Diary number on the Complaint was denied to her, and therefore, she had sent her Complaint through email. Subsequently, Diary No. 6856 was given on her Complaint only on the next day, i.e., 17.08.2021. She was pressurized to keep the entire incident under the wraps.

19. The Complainant further stated that left with no option, she was compelled to give a *written Complaint to SHO, P.S. Bharat Nagar at around 06:00 PM*. At around 09:30 PM, she received a call from the Police Station to get her medical done, but because it was late at night and she is a resident of Ghaziabad, she requested to get her medical done on the next day.

20. The Complainant asserted that when, on the next day, she insisted for a medical examination, it was not paid heed to and was given an NCR dated 16.08.2021, under Section 323 IPC, although the Petitioner had committed the offence under SC/ST Act.

21. The Complainant asserted that the conduct of the Petitioner has been biased towards her, right from the commencement of her appointment as she belonged to a Scheduled Caste and was looked down upon by the Petitioner.

22. On 18.08.2021 at 11:50 AM, Principal of Lakshmibai College sent a *Show Cause Notice* to the Complainant as well as the Petitioner. The ACP came and waited for the Principal in her room and she had gone somewhere



at 01:00 PM, but she did not return. In the meanwhile, the Principal's office teachers of Hindi department were called and ACP made an inquiry from them. They were the Professors, namely, *Dr. Suman, Dr. Manish Chandra Shukla, Dr. Manisha Shankhwar, Dr. Manesh Meena, Dr. Poonam Rani, Dr. Anshu Singh Jharwar* who confirmed about the incident having taken place and Respondent No. 2 being slapped and humiliated in public by the Petitioner. The ACP told the teachers to give their statements and give the complaint again.

23. The Respondent No. 2 received an email on 18.08.2021 at 11:48 AM, from the Principal along with the attachment wherein she made allegations against Respondent No. 2 and asked her to give a reply within 24 hours. At around 08:06 PM, the Complainant received an email from the Principal wherein the Petitioner's email was attached and she had submitted that she was preparing a reply to the Complaint of the Respondent No. 2.

24. On 19.08.2021, Complainant was compelled to give complaint to the ACP, P.S. Ashok Vihar, SHO, P.S. Bharat Nagar dated 19.08.2021 making a request for registration of FIR under SC/ST Act, against the Petitioner.

25. The Respondent No. 2 replied to the email dated 18.08.2021 of the Principal, wherein Petitioner had made allegations against the Complainant. The Petitioner in her email had given an explanation to the Complaint filed by the Respondent No. 2.

26. On 20.08.2021, *Dr. Poonam Rani, Dr. Suman, Dr. Anshu Singh Jharwar, Dr. Manisha Shankhwar, Dr. Santoshi Kumari, Dr. Manish Chandra Shukla, Dr. Manesh Meena* along with Respondent No. 2, were



called for their statements at P.S. Bharat Nagar in which the Petitioner was also included.

27. A call was received at about 08:00 PM from the Police Station by the Complainant asking for the contact numbers of the witnesses who had not gone to the Police Station that day, i.e. on 20.08.2021 and were witness to be incident.

28. On 21.08.2021, statement of remaining witnesses, namely, *Dr. Nirmal Rani, Dr. Amita Misra, Dr. Ravindra Kumar, Dr. Promila, Dr. Meenu Khaneja* and *Dr. Rashim Gupta* were recorded, except that of Sh. Rajbir Singh, Dean of the college. On 23.08.2021, the Complainant gave a letter along with covering letter to *National Commission for Scheduled Caste*, requesting them to hold an inquiry and to provide help her to get justice.

29. The Respondent No. 2 received the copy of the *FIR No. 0512/2021 dated 23.08.2021 under Sections 323/504 IPC*. Notice under Section 91 and 160 Cr.P.C. was sent to the Complainant whereby she was asked to submit her Caste Certificate and to meet the ACP. Accordingly, the Caste Certificate was submitted to the ACP on 26.08.2021 at around 04:14 PM.

30. Soft copy of the Writ Petition was sent to the Complainant and the matter was listed for hearing on the next day and no time was given to the Complainant to engage a lawyer or seek legal advice.

31. In the hearing on the Petition listed before this court, no information was given about the witnesses of the incident and this Court on 27.08.2021 granted interim protection to the Petitioner that no coercive action be taken against her, subject to her joining of the investigation.



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32. On 02.09.2021 pursuant to Notice under Section 91 Cr.P.C., she gave her statement under Section 161 Cr.P.C. to the Police. She was asked to make a list of witnesses, which was provided to the Police.
33. On 01.09.2021, Respondent No. 2 wrote a letter to ACP to get her statement under Section 164 Cr.P.C. recorded, which was recorded on 07.09.2021.
34. The *Fact-Finding Committee* was established by the College about which she was given an intimation through the WhatsApp. She was informed about the Members of *Fact-Finding Committee*, on 13.09.2021.
35. Furthermore, the Complainant received a letter from NCT of Delhi, regarding SC/ST Act. A statement was recorded by the Fact-Finding Committee set up by Lakshmibai College. The statement of five professors was also recorded on 20.09.2021. On 23.09.2021, the statements of 06 other teachers were recorded. On 27.09.2021, 07 professors gave their statement at the Police Station. These 07 professors were also called by Fact Finding Committee for their statement, on 01.10.2021. These 07 professors accordingly gave their statements.
36. On 08.10.2021, Complainant gave a complaint to SC/ST Act and met the Chairman on 11.10.2021.
37. *On merits*, all the contentions made in the Petition, are denied. *It is submitted that there was no ground for quashing of the FIR and claimed that the Petition may be dismissed.*
38. The *Written Submissions* have been filed by the Petitioner as well as the Complainant, in support of their respective Petition and reply.



39. The Chargesheet has been filed in the Court, copy of which was placed on record, by the Petitioner.

Submissions heard and the record perused.

40. Admittedly, the Petitioner, Ranjit Kaur and the Respondent No.2/Complainant, Dr. Neelam have been working as Associate Professors in Lakshmibai College, for about 08 years. An unfortunate incident happened on 16.08.2021, when after attending the NAAC Meeting, the Minutes of Meeting were prepared and the Register was circulated to all the Professors, for signatures. When the register reached the Complainant, she sought some time to first read the Minutes, before signing. The Petitioner wanted her to sign the Minutes as they had to be uploaded on the NAAC website at the earliest. On this, an altercation took place and apparently, the Petitioner slapped the Complainant, in the presence of other teachers. This was the initiation point of the dispute, *inter se* the parties.

41. The Complainant gave a *handwritten Complaint dated 16.08.2021 to the SHO, P.S. Bharat Nagar* wherein she again narrated the same incident of 16.08.2021 and a stated that she had been slapped by the Petitioner.

42. A *handwritten Complaint was given on the same day, i.e. 16.08.2021 by the Complainant addressed to the Principal of the Lakshmibai College* wherein she stated about the Meeting and the insistence of the Petitioner to sign the Minutes without reading, on which an argument took place as the Petitioner was getting irritated as to why the Complainant wanted to read the Minutes, before signing. She allegedly slapped her and snatched the Register and told her to quietly sign the register. She was



subjected to mental and physical torture and that she has been suffering from health issues, despite which she has been working with diligence in the College. She gave the name of the Professors who were present, in her Complaint.

43. This Complaint was followed by another *typed detailed Complaint dated 16.08.2021 to the Principal* which contained the similar allegations of the register being snatched from her by the Petitioner and she being slapped in the presence of the other teachers and also that a page of the register got torn. She further stated that for last 28 years, she has been working in the College and no colleague ever had any complaint from her. For defaming her and ruining her image, she is being targeted for work in relation to NAAC. *She is scared and upset on false allegations being made against her and by the humiliation to which she has been subjected, because of pulling of her hair.* She accordingly, stated that she may be given protection and the academic environment may be saved from getting ruined.

44. On the next day, i.e. *17.08.2021, she again gave a Complaint to the Principal of the Lakshmibai College* wherein while narrating the entire incident of being slapped by the Petitioner, she further alleged that the Petitioner had treated her in such manner *as she belong to a reserved caste and that she always had a grudge against her.* On this account, she on many occasions had made casteist remarks that *“ye quote wale arakshan labharthi log na jaane kahan-kahan se aa jaate hain, anpadh gawar bari bari karke chale aate hain”*.

45. The Complainant further claimed that in the near past she got promoted as Associate Professor, but this fact was not acceptable to the



Petitioner. For the last many years, there is a casteist attitude evident from her conduct. She thus, raised a question of she being subjected to mental torture on account of her caste. She specifically claimed that Dr. Ranjit Kaur had adopted insulting and humiliating attitude towards the colleagues belonging to a Scheduled Caste which is not appropriate for the reputation of the educational institution. She suffered insult to her self-respect and therefore made a request that a strict action be taken against Dr. Ranjit Kaur.

46. Significantly, this specific remark was absent from both initial handwritten Complaints, the one addressed to the Principal on 16.08.2021 and the one addressed to the SHO, P.S. Bharat Nagar on 16.08.2021. The caste element appears for the first time only in the Complaint dated 17.08.2021 to the Principal, as a belated addition to an already narrated version of events.

47. The Petitioner in support of her Petition and to show the cordiality with the Complainant, has annexed various email WhatsApp a chat communication wherein they had been talking to each other in a cordial manner.

48. In all her Complaints, whether addressed to the Principal of Lakshmibai College or to the Police, the only allegation made was that an altercation over signing of the Minutes of Meeting and the Petitioner having slapped the Complainant. So much so, on the Complaint of the Complainant dated 16.08.2021 addressed to the SHO, NCR No. 0047/2021 dated 16.08.2021 was recorded under Section 323 IPC, in respect of this incident.

49. It is only subsequently that the Complainant made a ***Complaint on 19.08.2021 to the ACP*** wherein she asserted that the Petitioner had used



filthy language against her, in presence of the staff members who are from non-SC/ST community and were the witness to the incident. Such illegal act done by the teacher of a prestigious college not only infringe the rights under the Constitution of India of the individuals to live a dignified life, but also was contrary. The matter was reported to the Police but no FIR under SC/ST Act has been registered on her complaint. She kept insisting for her medical examination, but no heed was paid to her request. She claimed that the college authority in connivance with the accused person, were trying to save her. ***A similar Complaint was made on 19.08.2021 to the SHO and the ACP.***

50. In these Complaints as well, there are no specific details of the casteist remark that had been allegedly made against her. Her averment was only that being a member of an SC community, the attitude of the Petitioner was oppressive and there were undertones of her dislike for the members of SC community. Again, it was a general feeling of dislike and humiliation which the Complainant perceived from the attitude of the Petitioner, but there is a no specific averment in regard to any casteist remark having been made against her.

51. She had again made a ***Complaint dated 23.08.2021, on the basis of which the FIR was registered.*** However, in this Complaint as well, no specific casteist remark or expression has been attributed to the Petitioner. The caste element finds no mention whatsoever in any of the Complaints made on 16.08.2021, whether to the Principal or to the Police and was introduced only as an afterthought in the Complaint dated 17.08.2021 onwards, without any specificity even thereafter.



52. The FIR does not specify under which clause or sub-section of Section 3 of the SC/ST Act it has been registered. The relevant statement is reproduced as under:

*“Dr. Ranjeet Kaur was having grudge against me and caste bias against me for the reason best known to her, she grabbed this opportunity and attacked me, humiliated me. She caught hold of me, snatched the register and slapped me. **She used filthy language for me in the presence of other staff members who are from non SC-ST community have witnessed the incident.** I was wondering how such an illegal act may be done by a teacher of prestigious College.”*

53. Herein, it is pertinent to refer to **Section 3(1)(x) and 3(1)(xi) of the SC/ST Act, as originally enacted**, which is reproduced as under:

“3. Punishments for offences atrocities. —

(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

(xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;”

54. **Section 3(1)(r) and 3(1)(s) of SC/ST Act (as amended)** reads as under:-

“3. Punishments for offences atrocities.—



(1) *Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,—*

(r) *intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;*

(s) *abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;”*

55. In the case of *Shajan Skaria vs. The State of Kerala*, 2024 SCC OnLine SC 2249, the basic ingredients to constitute the offence under Section 3(1)(r) of the Act, 1989 were noted as under:

a. Accused person must not be a member of the Scheduled Caste or Scheduled Tribe;

b. Accused must intentionally insult or intimidate a member of a Scheduled Caste or Scheduled Tribe;

c. Accused must do so with the intent to humiliate such a person; and

d. Accused must do so at any place within public view.

56. For an offence to be made out under Section 3 of SC/ST Act, it is essential that the alleged act must have been committed with the *intent to humiliate the victim*, specifically on account of her caste identity. It is not sufficient that the Complainant belongs to a Scheduled Caste and that she was subjected to ill-treatment or a physical altercation. *The nexus between the alleged act and the caste identity of the victim, must be clearly and*



unequivocally established from the very face of the Complaint. The genesis of the present dispute, as is evident even from the Complainant's own initial Complaints, was an administrative disagreement over signing of the minutes of the meeting.

57. Pertinently, it is the *statement of Dr. Poonam Rani recorded under Section 161 Cr.P.C. on 20.09.2021* that is the sole source of any specific casteist remarks allegedly made by the Petitioner. She alone attributes the words *“You bhangi, chamar, what will you do to me? You quota people have spoiled the entire atmosphere of the college” to the Petitioner.* No other witness examined attributes any such specific casteist remark to the Petitioner. Dr. Poonam Rani stands alone in this regard, uncorroborated by any other eyewitness to the incident.

58. Furthermore, *the Complainant's statement under Section 164 Cr.P.C.* was recorded before the learned MM on 07.09.2021. **The statement is reproduced as under:**

“...

Despite this, I clearly stated that I would not sign the minutes without reading after listening to this they become angry and in front of everyone and creating a pressure on me and told me to sign the minutes without reading it. But I denied this. I told them that I will not sign without reading it. Because before that there was an argument in the meeting that has been held and minutes were prepared and while signing in those minutes, I told them to write 17 sanctions in those minutes. Dr Ranjit Kaur told me that she will write. After doing this I signed in the minutes but she did not write the 17-sanction post and minutes were read in the meeting due to this I will not sign without reading this. I Just want to say and, in that course, they become so angry that they slapped me and snatch away the register and said she came to read the minutes. These people come from a backward area and started comparing that their students are more intelligent.



Also, she mentioned derogatory words related to the caste and also coming from the quota background they had created a bad atmosphere in the college. Also, these types of words were spoken by the socially backward people this behaviour had already been done before. After this, pressure was put on me repeatedly and unnecessary objections were raised against me by the college administration.

Despite performing my duties honestly, I was subjected to discrimination. I was deliberately not given proper work-related information, and obstacles were created in the discharge of my academic responsibilities. I was also not allowed to participate properly in academic and administrative work of the college. On 16 August 2021, I was again called and was verbally informed that disciplinary action would be taken against me. I was told that my resistance and objections were creating problems. Thereafter, I was transferred from my position and was forcefully relieved from my responsibilities. This action was taken arbitrarily and without following due process. Because of this, I suffered severe mental stress and anxiety. I had to undergo medical treatment for a long period. Even today, I am facing physical and mental difficulties as a result of these actions. All these actions were taken deliberately and with malafide intention.

I was in shock and so distraught that I couldn't even bring myself to use abusive or offensive language in my complaint letter. I am a teacher. I couldn't use such language because it's not appropriate and is unforgivable. In a single blow, Dr. Ranjit Kaur has completely destroyed my reputation. What must my students and fellow teachers be thinking about me? How could a teacher be subjected to such violence? I still haven't been able to get over all of this. I still feel humiliated. I feel ashamed going to college. Yet, I somehow manage to pull myself together and focus on my work at the college. He had used abusive language. People from other departments were also present at the time. I felt so humiliated. I didn't know what to do in front of everyone. I felt so ashamed. After a few hours, I composed myself and wrote a complaint letter to the college. The college administration received my complaint letter about this incident. The police refused to register my complaint in the diary. It was only when members of the SC-ST union arrived on August 17, 2021, that my complaint letter was finally recorded in the diary. However, when the college refused to register my complaint on August 16, 2021, I emailed the complaint letter to the college. I felt so humiliated by this



*incident. I am providing this information regarding the abusive behavior of Dr. Ranjit Kaur. Such actions constitute a serious offense for any teacher. I request that I be given justice for the damage done to my social reputation, so that no other teacher or student has to endure this. should not carry out such a heinous and violent act like the one Dr. Ranjit Kaur committed. I am waiting for justice. At the time this incident occurred, **Dr. Ranjit Kaur said, "What kind of testimony will these ad-hoc teachers give?"** Since Dr. Ranjit Kaur is the teacher in charge, she can misuse her position and put pressure on them. I understood that the testimonies were given to the police by Dr. Santoshi from the History Department, Dr. Manish Meena from the Hindi Department, and Dr. Poonam Rani from the Hindi Department S.T. All the teachers witnessed Dr. Ranjit Kaur using abusive language."*

59. Even in this statement as reproduced above, the alleged casteist remarks are referred to only in vague and general terms. The Complainant stated that the Petitioner said *"these people come from a backward area"* and made references to persons coming from *"quota background"* creating a *"bad atmosphere"*, and that *"these types of words were spoken by socially backward people"*.

60. Pertinently, the Complainant herself acknowledged in her Section 164 statement, the reason for the absence of specific casteist language in her initial Complaints, stating: *"I was in shock and so distraught that I couldn't even bring myself to use abusive or offensive language in my complaint letter. I am a teacher. I couldn't use such language because it's not appropriate."* Again, this explanation, does not suffice especially when a detailed typed Complaint was prepared and submitted on the very same day, i.e., 16.08.2021, to both the Principal as well as the Police, which contained no whisper of any caste-based remark.



61. The statement of a single witness attributing specific casteist remarks, which the Complainant herself never once specifically corroborated, cannot form the basis of a charge under the SC/ST Act.

62. As regards the offences under *Sections 323 and 504 IPC*, both are non-cognizable offences. The FIR could not have been registered for these offences without an order of the learned Magistrate as mandated under Section 155(2) Cr.P.C. The FIR, therefore, cannot sustain itself on the basis of these offences either. Furthermore, NCR No. 0047/2021 under Section 323 IPC, has already been registered on the same day of the incident in question i.e. 16.08.2021. The Complainant is at liberty to avail the appropriate remedy in accordance with law, in respect of these allegations.

Conclusion:

63. In light of the observations made above, the Petition is **allowed**.

64. **The FIR No. 0512/2021 under Sections 323/504 IPC and Section 3 of the SC/ST Act, P.S. Bharat Nagar, Delhi and all proceedings emanating therefrom, are hereby, quashed.**

65. The Petition is disposed of along with pending Application(s), if any.

**(NEENA BANSAL KRISHNA)
JUDGE**

APRIL 01, 2026

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