



Serial No.03
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.Petn.No.85/2025

Date of Order: 15.04.2026

Smti. Talat Nazia Begum

..... Petitioner

Vs.

1. The State of Meghalaya, represented by Law Department,
Government of Meghalaya, Shillong.

2. Smti. Hasina Khatoon

..... Respondents

Coram:

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice

Appearance:

For the Petitioner : Mr. A.S. Siddiqui, Sr.Adv with
Ms. C. Rapsang, Adv

For the Respondents : Mrs. N.G. Shylla, Sr.GA with
Mrs. I. Lyngwa, GA
Mr. S. Panthi, Adv for R/2

i) Whether approved for reporting in Law journals etc.: No

ii) Whether approved for publication in press: Yes

JUDGMENT: (Oral)

Heard learned counsel for the parties.

2. Rule. Rule is made returnable forthwith with the consent of the parties and the aforesaid petition is taken up for final disposal.



3. Learned Sr.GA waives notice on behalf of the respondent No.1 and Mr. S. Panthi waives notice on behalf of the respondent No.2.

4. By this petition, the petitioner, who is the sister-in-law of the respondent No.2 (original complainant), seeks quashing of the FIR registered with the Lumdiengjri Police Station being P.S. Case No.138(10) of 2023 and the chargesheet, being chargesheet No.8 of 2024 for the alleged offences punishable under Section 498A of the IPC and Section 4 of the Dowry Prohibition Act, 1961.

5. Learned Senior Counsel for the petitioner submitted that admittedly the petitioner, sister-in-law of the respondent No.2 (original complainant), lives separately in Assam and not in the matrimonial home of the respondent No.2. He submitted that taking the prosecution case as it stands from the FIR/chargesheet, no offences as alleged are disclosed qua the petitioner. He submits that having regard to the judgment of the Apex Court in ***State of Haryana & ors v. Bhajanlal & ors*** reported in ***1992 Supp (1) SCC 335***, there is no impediment in



quashing the proceeding i.e., the FIR/chargesheet qua the petitioner.

6. Learned Sr.GA appearing for the respondent No.1 opposed the petition. She submitted that the FIR as well as the statement recorded under Section 161 CrPC of the respondent No.2 discloses the alleged acts of the petitioner.

7. Learned counsel for the respondent No.2 also opposed the petition. He submitted that the statement of the respondent No.2 recorded under Section 161 CrPC and the FIR lodged by the respondent No.2 also discloses the nature of allegations made by the respondent No.2 against the petitioner.

8. A few facts as are necessary to decide the petition are as under.

9. Admittedly, the petitioner is the sister-in-law of the respondent No.2. The petitioner is a married lady residing in Sonitpur District, Assam whereas, the respondent No.2 was residing with her husband and in-laws in East Khasi Hills District, Shillong. It is the respondent No.2's case, that she got



married to the petitioner's brother in Shillong on 16th December, 2022 and that right from the beginning, the marriage ran into rough weather over demand of dowry. According to the respondent No.2 (original complainant), her husband and in-laws were demanding dowry from her and also ill-treating her for not complying with the demand. Pursuant to the same, the respondent No.2 lodged an FIR with the Lumdiengjri Police Station as against her husband, in-laws including the petitioner alleging offences under Section 498A of the IPC and Section 4 of the Dowry Prohibition Act. After investigation, chargesheet was filed as against all the accused, including the petitioner.

10. Perused the FIR and the chargesheet annexed to the petition. In the FIR, the respondent No.2 has made specific allegations against her husband and mother-in-law. As far as the petitioner, who is the sister-in-law of the respondent No.2 is concerned, there is a general allegation stating that i.e., her husband and in-laws demanded dowry in cash and jewelleries. Admittedly, no specific instances are spelt out in the FIR or in the 161 statement vis-à-vis dowry demand by the petitioner.



In fact, even from a perusal of the statement recorded under Section 161 CrPC of the respondent No.2, it is evident that there is not a whisper vis-à-vis dowry demand by the petitioner from the respondent No.2 or her parents. The only allegation made by the respondent No.2 against the petitioner is that at the time of marriage, the petitioner stated that the food arrangement was not good, and had she been a neighbour, they would have stopped the wedding and take the groom back. The other allegation is with respect to some call received by the respondent No.2 on 20th April, 2023. Admittedly, the said call was not made by the petitioner. The allegation made by the respondent No.2 against the petitioner is that when she received a call making filthy allegation against her, she called the petitioner and disclosed to her that she had received an unknown call and the person on the said call was abusing her in filthy language. The respondent No.2 has further in her 161 statement stated that the petitioner told her that her brother's phone had been hacked. The respondent No.2 has further alleged that in March, 2023, she overheard the petitioner discussing with her mother



(mother-in-law of the respondent No.2) about separation between her (respondent No.2) and her husband.

11. The allegations as stated aforesaid, are the only allegations against the petitioner. Thus, taking the prosecution case as it stands, no offences either under Section 498A of the IPC or Section 4 of the Dowry Prohibition Act are made out qua the petitioner, who is the married sister-in-law of the respondent No.2. None of the ingredients as are necessary to constitute an offence under Section 498A of the IPC or under Section 4 of the Dowry Prohibition Act are disclosed in the FIR/chargesheet. Apart from the aforesaid, nothing was pointed out either by the learned Sr.GA or by the learned counsel for the respondent No.2 to show the involvement of the petitioner in the said case i.e., demand for dowry by the petitioner or cruelty as defined in Section 498A of the IPC. Thus, keeping in mind the principles laid down by the Apex Court in **Bhajanlal** (supra) and taking the prosecution case as its stand, no offences as alleged are disclosed qua the petitioner.



12. Accordingly, the FIR bearing P.S. Case No.138 (10) of 2023 registered with the Lumdiengjri Police Station and consequently, the chargesheet being chargesheet No.8 of 2024 are quashed and set aside.

13. The petition is accordingly allowed and Rule is made absolute on the aforesaid terms.

14. Petition stands disposed of.

(Revati Mohite Dere)
Chief Justice

Meghalaya
15.04.2026
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