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

CNR No. DLHC010400562026

+ **CRL.REV.P. 508/2026**

PRADESHI KUMAR JAIN

.....Petitioner

Through: Mr. Naveen Sharma, Advocate.

versus

STATE NCT OF DELHI & ORS.

.....Respondent

Through: Ms. Shubhi Gupta, APP for State
(Thr. VC).

SI Shalu, DIU/ Shahdara.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **25.08.2026**

CRL.M.A. 26272/2026 (exemption)

1. Exemptions allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.A. 26273/2026 (delay of 25 days in re-filing)

3. For the reasons stated in the application, the delay of 25 days in re-filing the appeal stands condoned.
4. The application stands disposed of.

CRL.REV.P. 508/2026

5. The petitioner seeks to challenge the impugned order 19.03.2026 passed by the Trial Court, whereby, respondent nos. 3, 4, 5 and 6 herein



have been discharged from the allegations and offences under Sections 304B/498A of the Indian Penal Code, 1860 (IPC).

6. The Trial Court in paragraph nos. 22, 23 and 24 of the aforesaid order has held as under:

“22. However, insofar as the other accused persons namely Varun Jain, Vinod Jain, Anshu Jain and Mukesh Bala are concerned, it is significant to note that during investigation, after examining the material collected during investigation, the said accused persons were placed in Column No. 12 of the chargesheet on the ground that no incriminating material surfaced against them. Even after receipt of the FSL report pertaining to the mobile phone of the deceased and after further investigation, no material has emerged against these accused persons.”

23. The allegation that the deceased was not allowed to communicate with her family members stood contradicted by the call detail records, which show that the deceased was in frequent and regular telephonic contact with her parents and siblings. The CDR analysis of Megha's mobile number 7011xxxx34 revealed that during the period April, 2020 to October, 2020, that the deceased Megha was in regular telephonic contact with her family members having spoken 201 times with her sister Priyanka Jain, 290 times with her sister Happy Jain, 54 times with her brother Sanchit Jain, and 66 times with her father/complainant Pradeshi Jain. Similarly, the allegation regarding payment of Rs. 7 lakhs to the accused persons in the year 2016 has been rendered incredible after investigation and it has been reported that the property was sold since during the year 2016, another daughter of the complainant also got married so, this allegation is also not credible. Therefore, the argument of Ld. Defence Counsel that the said money was utilized in the marriage of another daughter of the complainant is not without substance. The chargesheet/Investigation report reveals that no incriminating material surfaced against the in-laws of the deceased during the investigation.



Upon consideration of record of the case including the documents submitted therewith and after hearing the submissions of both the parties, this Court is of the considered opinion that there are no sufficient grounds for proceeding against the accused Varun Jain, Vinod Jain, Anshu Jain and Mukesh Bala. Accordingly, they are entitled to be discharged from the present case.

24. However, the above stated allegations i.e. the case of Prosecution taken on its face value disclose the ingredients of the offences punishable under Section 304B and 498A IPC against the husband/accused Rohit Jain.

Upon consideration of the record of the case including statements of the complainant and hearing submissions from both the sides, this Court is of the considered opinion that there is sufficient material/ grounds on record to presume that the accused/husband Rohit Jain has committed offences punishable under Sections under Section 498A/304B IPC.

Accordingly, Charge under Section 498A/304B be framed against the accused Rohit Jain and the accused persons i.e. Varun Jain, Vinod Jain, Anshu Jain and Mukesh Bala are discharged from the present case.”

7. It be noted that marriage of the deceased Meghna Jain was solemnized with Rohit Jain on 24.02.2014 and the incident in question had taken place on 10.10.2020.

8. Rohit Jain i.e. the husband of the deceased has been charge-sheeted for the aforesaid offences, whereas, the family members stood discharged.

9. Learned counsel for the petitioner has raised the primary objection that the Trial Court ought not have conducted the mini trial at the stage of framing of the charges. He, thus, contends that the number of calls which were made, should not be the sole reason to infer that the alleged offence has not been committed.

10. He also submits that on the basis of some purported investigation, the



Court has noted that the amount of Rs. 7,00,000/- was used for the purpose of marriage of second daughter. He, thus, contends that all those aspects ought not to have been considered at the present stage.

11. I have considered the aforesaid submissions made by learned counsel for the petitioner and has perused the record.

12. The Court finds that there is no substance in the aforesaid submissions. The respondents were not charge-sheeted. Their names were placed in Coloumn No. 12 in the charge-sheet on the ground that no incriminating material had surfaced against them.

13. Even after filing of the charge-sheet, the Court has thoroughly examined the entire material and did not find any evidence to justify the charges against the discharged accused persons.

14. In **Mathura Das & Ors. v. State**,¹ this Court held that at the time of framing of charge the Court is not required to examine and assess the material placed on record by the prosecution in great detail.

15. In **Tuhin Kumar Biswas @ Bumba v. The State of West Bengal**², the Supreme Court has held as under:

“15. This Court has recently in Ram Prakash Chadha v. State of UP (2024) 10 SCC 651, cited with approval earlier decisions of this Court in Stree Atyachar Virodhi Parishad v. Dilip Nathumal Chordia, (1989) 1 SCC 715; P. Vijayan v. State of Kerala, (2010) 2 SCC 398; and Union of India v. Prafulla Kumar Samal, (1979) 3 SCC 4 as under: -

22. In P. Vijayan v. State of Kerala [P. Vijayan v. State of Kerala, (2010) 2 SCC 398; (2010) 1 SCC (Cri) 1488], after extracting Section 227CrPC, this Court in paras 10 and 11 held thus: (SCC pp. 401-402)

10. ... If two views are possible and one of them gives rise

¹ 2003 SCC OnLine Del 269.

² 2025 INSC 1373.



to suspicion only, as distinguished from grave suspicion, the trial Judge will be empowered to discharge the accused and at this stage he is not to see whether the trial will end in conviction or acquittal. Further, the words “not sufficient ground for proceeding against the accused” clearly show that the Judge is not a mere post office to frame the charge at the behest of the prosecution, but has to exercise his judicial mind to the facts of the case in order to determine whether a case for trial has been made out by the prosecution. In assessing this fact, it is not necessary for the court to enter into the pros and cons of the matter or into a weighing and balancing of evidence and probabilities which is really the function of the court, after the trial starts. ***

(Emphasis supplied)

16. Further, the Supreme Court in *State of Orissa v. Pratima Behera*³, has held as under:

“14. ...We have no hesitation to hold that such meticulous consideration for presence or absence of clinching material is beyond the scope of power of the Court while considering the question of discharge under Section 239, Cr. P.C. as also while considering the question of quashing of charge framed by the Trial Court, while exercising the revisional jurisdiction. It is to be noted that at that stage the materials collected by the prosecution would not mature into evidence and therefore, beyond the question of existence or otherwise prima facie case based on materials, the question whether they are clinching or not could not be gone into.”

(Emphasis supplied)

17. In view of the aforesaid circumstances, more importantly, the findings rendered in paragraph nos. 22, 23 and 24 of the impugned order as have been extracted above, there is no reason to interfere with the same.

18. Accordingly, the petition stands dismissed.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 25, 2026/aks

³ 2024 INSC 1010.