



2026:000:113467

Reserved On: 2.2.2026  
Delivered on :18.5.2026

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL APPEAL No. - 5185 of 2025**

Munindra Alias Guddu And Another

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

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|---------------------------|---|--------------|--------|
| Counsel for Appellant(s)  | : | Manju Yadav, | Preete |
|                           |   | Chaudhary    |        |
| Counsel for Respondent(s) | : | G.A.         |        |

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**Court No. - 89**

**HON'BLE ANIL KUMAR-X, J.**

1. Heard Ms. Preete Chaudhary, learned counsel for appellants and Sri R.K. Singh, learned AGA for State – respondent.

2. The present criminal appeal under Section 14-A(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been filed against the cognizance order dated 10.9.2024 passed by the Court of Special Judge SC/ST (Prevention of Atrocities) Act, Bulandshahr in Session Case No. 1459 of 2024 ( State vs. Dipanshi Shirohi and another) with a prayer to allow the present Criminal Appeal and set aside the charge sheet dated 05.09.2024 as well as the cognizance order dated 10.09.2024 against the appellants. Further prayer has been made to quash the entire criminal proceedings against the appellants.

3. Briefly stated, respondent/ informant Anjana, daughter of Daulat Ram, lodged FIR against appellants and three others (all in-laws of informant) stating that her inter-caste marriage with Alkesh Kumar was solemnised on 2 May 2022 at Chhatarpur Matangi Bhawan with the consent and participation of both families. After a few days of marriage, her mother-in-law Saroj Devi, sister-in-law Deepanshi Sirohi alias Gudiya, brother-in-law Muninder alias Guddu, and driver Raju allegedly started beating and abusing her on the basis of caste. They allegedly used casteist remarks, threatened her with a pistol, treated her separately in the

house, made her sleep on the floor, and humiliated her before relatives and society members. It was further alleged that they demanded Rs.5,00,000/-, a big car, a motorcycle, and gold chains as dowry, and told her to leave the house if the demands were not fulfilled. The informant also alleged that despite her family giving gold rings, gifts, utensils, and watches at the time of marriage, she was continuously harassed, beaten, and discriminated against on account of caste and dowry demands.

4. The informant further alleged that Deepanshi, through driver Raju, called some persons to assault her and her father and that her father's mobile phone worth Rs.40,000/-was broken. It was also alleged that her mother-in-law, sister-in-law, and brother-in-law took away her jewellery, clothes, cash of Rs.3,80,000/- brass utensils, wedding gifts, and other household articles by loading them into vehicles. She further alleged one day she and her husband went at her maternal home and when she later returned to her matrimonial house, the house was empty and even electricity wires and kitchen items had been removed, forcing her and her husband to depend on neighbours for food and later return to her parental home at Chhatarpur. She further alleged that fake gold-plated jewellery was given in place of the jewellery shown before marriage. In August, when she and her husband visited the village, the accused persons allegedly refused to let them enter the house, threatened to kill them, and drove them away. It was also alleged that Deepanshi, Saroj Devi, Muninder, driver Raju, and Trilok Sirohi threatened and insulted her with casteist remarks before villagers and denied her any share in the house and land. Therefore, she alleged that the accused persons committed atrocities, dowry harassment, caste-based discrimination, and human rights violations against her.

5. Learned counsel for the appellants contended that the FIR was initially lodged by the informant at Police Station Chhatarpur, Delhi and was subsequently transferred to District Bulandshahar only on the ground that the alleged place of occurrence was shown as village Sharifpur Bhaisauli, District Bulandshahar. It was argued that during investigation, when the Investigating Officer contacted the informant on mobile phone for recording her statement, she allegedly stated that she would not come to District Bulandshahar and further disclosed that the entire incident had taken place at Delhi and no incident had occurred at

Bulandshahar. It was thus submitted that there exists a material contradiction between the allegations made in the FIR and the statement subsequently made before the Investigating Officer regarding the place of occurrence. According to the appellants, if the statement made before the Investigating Officer is accepted, it clearly indicates that the informant never resided with the appellants at Bulandshahar and no occurrence, as alleged in the FIR, ever took place there.

6. It was further argued that the informant did not level any allegation against her husband Alkesh Kumar, though he was residing with her. Rather, Alkesh Kumar himself stated before the Investigating Officer that his mother Saroj Devi was innocent and had no involvement in the alleged incident, despite which allegations were levelled against her in the FIR. Learned counsel submitted that the statements of the informant and her husband, read together, clearly demonstrate that both of them were living separately from the appellants and that the criminal proceedings have been initiated due to personal and property disputes within the family. It was thus contended that the allegations are exaggerated, motivated and have been falsely levelled with an ulterior motive to pressurize the appellants in the property dispute.

7. It was lastly submitted that the appellants are merely the brother-in-law (Devar) and sister-in-law (Nanad) of the informant and that they, along with other family members, have been falsely implicated in the present case without any independent or reliable evidence. It was argued that the allegations made in the FIR are omnibus and general in nature and have been levelled only to harass the entire family. Learned counsel contended that continuation of the criminal proceedings against the appellants would amount to abuse of the process of law. Hence, it was prayed that the entire criminal proceedings, along with all consequential orders passed therein against the appellants, are liable to be quashed.

8. Learned A.G.A., on the other hand, opposed the prayer and submitted that the FIR contains specific allegations of caste-based harassment, cruelty, dowry demand, assault, intimidation, and misappropriation of articles against the appellants. It was argued that merely because some contradictions have been pointed out regarding the place of occurrence or because the informant and

her husband were allegedly residing separately, the prosecution case cannot be discarded at this stage. Learned A.G.A. further submitted that the truthfulness, reliability, and effect of the statements relied upon by the appellants are matters of evidence which can only be examined during trial. It was thus contended that from the material collected during investigation, a prima facie case is made out against the appellants and therefore the criminal proceedings as well as consequential orders do not warrant interference.

9. Upon consideration of the rival submissions and material brought on record, this Court finds that the allegations made in the FIR and the subsequent statement of the informant before the Investigating Officer regarding the place of occurrence are materially contradictory. In the FIR, the entire occurrence has been shown to have taken place at village Sharifpur Bhaissauli, District Bulandshahar, whereas during investigation the informant allegedly stated that the entire incident had occurred at Delhi and no occurrence had taken place at Bulandshahar. If both versions are read together, it creates serious doubt regarding the very place of occurrence and also gives rise to an inference that the informant may not have resided with her in-laws at Bulandshahar in the manner alleged in the FIR. Such contradiction goes to the root of the prosecution story and renders the allegations doubtful.

10. This Court further finds that the allegations levelled against the appellants and other in-laws are general and omnibus in nature without assigning any specific role to each accused. The appellants are brother-in-law (Devar) and sister-in-law (Nanad) of the informant and have been implicated along with several family members by making sweeping allegations of harassment, assault, caste abuse, and dowry demand. No specific date, time, or distinct overt act has been attributed to them. It is also significant that Alkesh Kumar, husband of the informant, in his statement before the Investigating Officer denied any involvement of his mother Saroj Devi in the alleged occurrence, despite specific allegations having been made against her in the FIR. The said circumstance materially weakens the prosecution version insofar as the implication of the in-laws is concerned.

11. Moreover, although the informant alleged continuous torture, caste-based harassment, and cruelty by her in-laws at her

matrimonial home, she remained completely silent regarding the conduct and reaction of her husband, who according to her was supporting her. No explanation has been furnished as to how such alleged acts continued openly in the matrimonial home without any intervention or reaction from the husband. The silence of the informant on this material aspect also renders her version doubtful and creates serious suspicion regarding the genuineness of the allegations. Considering the overall facts and circumstances of the case, this Court is of the view that continuation of criminal proceedings against the present appellants would amount to abuse of the process of law. Accordingly, the proceedings qua the appellants, along with all consequential orders passed therein, deserve to be quashed.

12. Accordingly, the present criminal appeal succeeds and is hereby **allowed**. The charge-sheet dated 5.9.2024 as well as the cognizance order dated 10.9.2024 passed by the Court of Special Judge, SC/ST (Prevention of Atrocities) Act, Bulandshahr in Sessions Case No.1459 of 2024 (State vs. Dipanshi Shirohi and Another), insofar as they relate to the present appellants, are hereby set aside. Consequently, the entire criminal proceedings of the aforesaid case, qua the present appellants only, are hereby quashed. However, it is made clear that the proceedings against the remaining accused persons shall continue in accordance with law.

**May 18, 2026**  
Mukesh

**(Anil Kumar-X,J.)**