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

% Judgment delivered on: 06.03.2019

+ CRL.REV.P. 427/2016

THE STATE GOVT OF N.C.T OF DELHI Petitioner

versus

SATYAVIR SINGH & ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Meenakshi Dahiya, APP for the State.
ASI Sunder Prakash, CAW.

For the Respondents: None.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CRL.REV.P. 427/2016 & CrI.M.A.9640/2016 (for condonation of delay)

1. Petitioner State has filed the revision petition impugning order dated 04.02.2016, whereby, the Trial Court has discharged respondents in case FIR No.282/2014 under Sections 354/354B/498A/376D/34 IPC.

2. Respondents are the sister of the husband as well as her husband. Allegations against the respondents were made under Section 498A IPC.

3. The Trial Court after considering the investigative material as well as the charge sheet was of the view that there was no material that has surfaced during investigation, of the respondents having committed the said offence.

4. The allegations of the prosecutrix were that she was harassed by her in-laws for bringing insufficient dowry. Insofar as the respondents are concerned, the only allegations against them are that they used to come to the house of the prosecutrix and abuse her and demand dowry.

5. The Trial Court by the impugned order has noticed as under:-

“13. Accused Satyavir Singh is the brother-in-law (Nandoi) of the prosecutrix and accused Rajwati is the sister-in-law (Nanad) of the prosecutrix. The only allegation made by the prosecutrix against them is that these accused persons used to come to her home alongwith accused Radhey Shyam and they used to harass her for demand of dowry. It is not the case of the prosecutrix that these accused persons were residing at her matrimonial home. There are no particulars about the date or month when these accused persons came to the matrimonial home or parental home of the prosecutrix. In her statement under section 164 Cr.P.C, the prosecutrix has not made any allegation against these accused persons. There is no sufficient material available on record which raises grave suspicion that these accused persons have committed any offences. Thus, accused persons Satyavir Singh and Rajwati are discharged.”

6. The Trial Court has discharged the respondents on the ground that the prosecutrix has made vague and unsubstantial allegations that they used to harass her for demand of dowry. The Trial Court has noticed that no particulars about the date, month or detail of the said demands have been mentioned.

7. Perusal of the FIR shows that there is only one-line allegation against the respondents that they used to come to her house and abuse her and demand dowry. In her statement recorded under Section 164 Cr.P.C., there is no allegation against the respondents.

8. Perusal of the Trial Court record shows that the allegations against the respondents are vague and have not been substantiated during investigation. The prosecutrix had not given any detail or description about the alleged demand of dowry or the period or the date when the same was made. It is an admitted position that the respondents were not residing with the prosecutrix.

9. On perusal of the record, I am satisfied with the view taken by the Trial Court that there is no material to raise grave suspicion against the respondents of them having committed any offence.

10. In view of the above, I find no merit in the petition. The petition is, accordingly, dismissed.

MARCH 06, 2019/st

SANJEEV SACHDEVA, J