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

+ **CRL.M.C. 2773/2024**

ANGOORI DEVI @ ANGURI DEVI

..... Petitioner

Through: Mr. Furkan Ali Mirza, Advocate.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Ajay Vikram Singh, APP with
Insp. Deepak, PS: Sonia Vihar.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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08.04.2024

CRL.M.A. 10566/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

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1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 0585/2022, under Sections 304B/498A/34 IPC and Sections 3/4 of Dowry Prohibition Act, 1961, registered at P.S.: Sonia Vihar and proceedings emanating therefrom.

2. In brief, as per the case of prosecution, Vandana (deceased) committed suicide by hanging on 03.12.2022, within 06 years of marriage with accused Anil Singh. The mother of deceased in her statement before learned SDM on 05.12.2022 alleged that within two years of marriage, the husband of the deceased started beating her and demands for articles like gold ring, chain and a motorcycle were made.

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3. Charge has been framed against petitioner Angoori Devi (mother-in-law of deceased), Anil Singh (husband of deceased) and Arun (brother-in-law of deceased), while Tinku and Rohit (minor brothers-in-law of deceased) were absolved after investigation. Thereafter, the matter is pending before learned Trial Court at the stage of evidence, wherein, the examination in chief of brother of deceased is stated to be underway.

4. In response to query put to the learned counsel for the petitioner, as to why the petitioner has directly preferred the proceedings under Section 482 of Cr.P.C. without preferring any proceedings challenging the framing of charge, learned counsel for the petitioner is unable to furnish any cogent reasons for the same and simply submits that the matter may be considered on merits, as allegations are not supported.

5. Learned APP for the State vehemently opposes the petition and submits that resort to proceedings under Section 482 Cr.P.C. is abuse of process of Court, since the order on framing of charge has not been challenged by the petitioner and proceedings have been initiated merely to delay the recording of evidence.

It is also pointed out that on the date of incident the mother-in-law of deceased was also present in the premises. Further, mother of the deceased, in her examination recorded before the learned Trial Court on 08.02.2023, has supported the allegations of demand of dowry. The allegations are also stated to have been corroborated by PW-4 Gaurav (brother of deceased) in his examination in chief.

6. I have given considered thought to the contentions raised.

Considering the allegations of demand of dowry, which have come up on record, in the statement of PW-3 and PW-4, the proceedings initiated on



behalf of petitioner for quashing under Section 482 Cr.P.C., is nothing but an abuse of process of Court. Petitioner for the reasons best known has not challenged the order on charge passed by learned Trial Court.

Considering the facts and circumstances and without expressing any opinion on merits of the statement of witnesses, who have been examined on behalf of prosecution, the petition is dismissed. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

APRIL 08, 2024/R