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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1270/2025 & CRL.M.As. 5661-5662/2025**
RAVINDRA PAL SINGH AND OTHERSPetitioners

Through: Mr. Faiz Imam, Advocate.

versus

STATE OF N.C.T. OF DELHI AND ANOTHERRespondents
Through: Mr. Digam Singh Dagar, APP for
State.
SI Sumit, P.S. Jagat Puri.
Mr. Braham Singh, Mr. Rohit
Vidhudi and Mr. N.S. Vidhudi,
Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
23.04.2025

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1. The present petition under Section 482 of the Code of Criminal Procedure, 1973,¹ seeks quashing of FIR No. 0318/2024 dated 30th April, 2024 under Sections 498A/406/34 of the Indian Penal Code, 1860² registered at P.S. Jagat Puri, District Shahdara, Delhi.
2. The allegations as set out in the FIR, in brief are as follows:
 - 2.1. Petitioner No. 1 and the Complainant got married on 18th February, 2011. Prior to the marriage, the Complainant and her father met Petitioner No. 1 and confirmed that he and his family did not consume intoxicants like alcohol, bidi, cigarette, paan etc. Based on this assurance, the marriage was

¹ “CrPC”



finalized.

2.2. As per the consent of both the parties, the engagement took place on 19th December 2010, followed by the marriage. The Complainant's parents spent around ₹25 lakhs on the wedding, including dowry items and *stridhan*, and ₹2 lakhs in cash.

2.3. During the engagement, Petitioner No. 1's brother, Petitioner No. 4 demanded a car. Upon non-fulfilment of his demand, he insulted the Complainant and her family.

2.4. The Complainant was previously employed in Chittorgarh; however, following her marriage, she relocated to Haridwar and was compelled to resign from her job due to pressure exerted by Petitioners Nos. 1–3.

2.5. The parties' first daughter was born on 11th December, 2012. Thereafter, the Petitioners started harassing the Complainant for not bearing a son and demanded further money from her family. Further, Petitioner No. 1 coerced her parents into signing cheques amounting to ₹8 lakhs.

2.6. During her second pregnancy, Petitioner No. 2 allegedly sent a substance from a *tantrik* to ensure the birth of a male child and insisted on an ultrasound, threatening abortion if it was a girl. Upon refusal to take the same, the Complainant was assaulted by Petitioner No. 1.

2.7. The parties had their second daughter on 8th November, 2017, subsequent to which Petitioner No. 1 began drinking and abusing the Complainant. Petitioners Nos. 2 and 3 also assaulted the Complainant for minor reasons and pressured her to arrange for ₹10 lakhs from her family. Petitioner No. 1 removed the Complainant as nominee from his bank and insurance accounts in favour of his mother.

² "IPC"



2.8. On 15th September 2020, Petitioner No. 1 assaulted the Complainant for not giving him money, and threw his ATM card on her face, causing her nose to bleed. He also attempted to set the kitchen on fire with the Complainant and the children inside. Further, on 22nd April, 2021, while the Complainant had gone to her in-laws' village, she was again beaten by Petitioners Nos. 1-4 over the issue of not bearing a son.

2.9. On 24th April 2021, while all other members of the family were occupied and Petitioner No. 1 was not at home, the Complainant was asleep in her room. Taking advantage of the situation, Petitioner No. 4 entered her room and began calling out to her. He made obscene advances, and tried to force himself on her. When she informed Petitioner No. 1 about the incident, he dismissed it as a family matter and assaulted her instead.

2.10. On 16th May, 2021, during a quarrel, Petitioner No. 1 threw hot water at the Complainant, causing burns on her hands and feet. Following the incident, the Complainant called the police helpline number on 112 for the first time. Police officials visited the residence and counselled both parties, temporarily resolving the matter.

2.11. On 21st August, 2021, while the Complainant was at her mother's residence, Petitioner No. 1 arrived in an intoxicated state and began abusing her. He also created a scene by arguing with her parents and others present there. In order to avoid further embarrassment and to preserve her dignity in society, the Complainant left with Petitioner No. 1.

2.12. On 6th September, 2021, he assaulted and threw her out of the house again over the issue of not bearing a son. Fearing for her life and the safety of her children, the Complainant contacted her younger sister and brother-in-law, and went to the P.S. Beta-2 to file a complaint. Thereafter, she left with



her two daughters for her parental home.

2.13. Thereafter, Petitioner No. 1, along with the other Petitioners, left for his native village, where he began openly cohabiting with another woman in pursuit of having male children. Petitioner No. 4 is also alleged to be in an illicit relationship with another woman, with whom he resides, and such arrangement is supported by the Petitioner's family.

2.14. Additionally, Petitioner No. 1 purchased a house in Petar Noida, for which the loan remains unpaid. He has not been making timely instalments, and as a consequence, the bank has been harassing the Complainant and her elderly parents. In an effort to assist, her father paid one instalment on the loan, along with a penalty of ₹2,50,000 in December 2022.

2.15. Petitioner No. 1 refuses to allow the Complainant to live with him. As a result, the Complainant is enduring mental and physical distress due to the lack of maintenance support, making it increasingly difficult for her to sustain herself. To meet her children's education and living expenses, the Complainant has started taking private tuitions.

3. The aforementioned allegations resulted in the registration of the impugned FIR, which has since been investigated. A chargesheet has been filed against the Petitioners under Sections 498A, 406, 34, with additional charge under Section 506 IPC against Petitioner No. 1, and Sections 376 and 506 IPC against Petitioner No. 4. The matter is currently at the stage of framing charges before the concerned Trial Court.

4. In the aforesaid background, counsel for the Petitioner seeks quashing of the FIR on the following grounds:

4.1. The allegations made in the FIR are unfounded, baseless, and unsupported by any credible evidence, and thus, fail to sustain the charges.



4.2. Even if the FIR is taken at face value and accepted in its entirety, the contents do not disclose the commission of any cognizable offence. The allegations are vague and unspecific, with no clear narration of any criminal conduct, thereby, warranting quashing of the FIR.

4.3. The allegation of misbehaviour and sexual assault against Petitioner No. 4 is fabricated, allegedly made with the intent to extract money and to exert pressure on Petitioner No. 1 to withdraw two complaint cases filed against the Complainant's sister, father, and mother.

4.4. The alleged incident of 24th April, 2021 was reported after a delay of more than three years. Further, this incident was not mentioned in the earlier complaint dated 22nd June, 2021 lodged with P.S. Beta-2, nor was it raised during mediation proceedings, or in the subsequent complaint dated 30th November, 2021 filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005. The Complainant is a well-educated woman, who could not have been pressured into concealing such a serious allegation of misbehaviour. Furthermore, there appears to be a gradual improvement in the Complainant's version of events.

4.5. The alleged demand of ₹10 lakhs was not mentioned in any prior complaint. The allegations of cruelty and harassment by the Petitioners are entirely false, unsupported by evidence, and contrary to the facts of the case, thereby rendering the FIR liable to be quashed.

5. The Court has carefully considered the contentions raised by the parties. The FIR reveals that the allegations are specific and categorical, providing a clear and detailed account of the cruelty allegedly inflicted upon the Complainant. Such allegations are set out in Paragraph Nos. 6, 7, and 9 of the translated copy of the FIR, filed by the Petitioner, extracted



hereinbelow:

“6. After the birth of my younger daughter, my husband Ravid started drinking alcohol and beating me. My Shanti Devi and Mithlesh Kumari came to our house in Petar Noida and abused me and beat me up for not having breakfast.

7. That all of them, my Smt. Shanti Devi, my Shri Ramsevak Diwakar and my Smt. Mithlesh Kumari taunt me for not having a son and say that for whom should we earn, we have only daughters. All of them beat me up and my Shanti Devi and Mithlesh Kumari say that we will get Ravid Pal Singh married again for the birth of a son. And they kept forcing me to bring INR 10 lakhs from my family, and my husband removed my name from the nominee position in his bank account and added his mother's name and also removed my name from the policy and made his mother the nominee.

9. When I had gone to my in-laws' village Rustamgarh Ugia with my younger daughter, one day, on 22.04.21, at night, my husband, in a drunken state, on the behest of my Shanti Devi, as we did not have a son, everyone (my Smt. Shanti Devi, Ramsevak Diwakar, and Mithlesh Kumari) together beat me up.”

6. With regard to the allegations of sexual assault against Petitioner No. 4, the Complainant has provided a precise and specific account of the alleged incident, as detailed in Paragraph No. 10 of the translated copy of the FIR, which reads as follows:

“10. On 24th April, 2021 at around 2 pm when all the other members of the house were busy with their work, and my husband had gone to the area for election campaign, I was sleeping in my room, taking advantage of this opportunity, my Ram Sewak came into my room and started calling me, then I woke up and in panic, I got up from the bed and went downstairs, then I saw my brother-in-law sitting on my bed. I asked Poon Bhaiya "how come you are here, did you have any work?" He started talking obscenely to me and came close to me and tried to force himself on me, to save myself I pushed him and went out. Then my brother in law threatened me that this If you tell this to anyone, I will kill you. When I told this to my husband in the evening, he also did not support me and said that it is a family matter, don't worry, no one should know about this, it will be better for you.. Instead of supporting me, he also beat me up.”



7. It is a well-established principle of law that allegations of sexual assault can be sustained solely on the testimony of the Prosecutrix, if such testimony is found to be credible and trustworthy. The Supreme Court, in **Ganesan v. State**,³ observed that the sole testimony of the victim, if found reliable and trustworthy, requires no corroboration and may be sufficient to invite conviction of the accused. In the present case, the matter is at the stage of consideration of charge, and the Prosecutrix has not yet had the opportunity to present her version before the Court. At this preliminary stage, where the FIR contains specific and detailed allegations of sexual assault against Petitioner No. 4, the Court does not find it appropriate to quash the proceedings. The Prosecutrix must be afforded a fair opportunity to substantiate her allegations through her testimony and supporting evidence during trial.

8. The Supreme Court, in the judgement in **State of Haryana v. Bhajan Lal**,⁴ laid down the test for the exercise of inherent powers under Section 482 Cr.P.C. for the quashing of an FIR. The Court *inter alia* held as follows:

“102. In the backdrop of the interpretation of the various relevant provisions of the Code under Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the exercise of the extra-ordinary power under Article 226 or the inherent powers under Section 482 of the Code which we have extracted and reproduced above, we give the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any Court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

1. Where the allegations made in the First Information Report or the complaint, even if they are taken at their face value and accepted in

³ (2020) 10 SCC 573, see also: Krishan Kumar Malik v. State of Haryana, (2011) 7 SCC 130.

⁴ 1992 Supp (1) SCC 335.



their entirety do not prima-facie constitute any offence or make out a case against the accused....”

9. Applying the aforesaid test to the facts of the present case, the Court is of the view that the FIR, when taken at face value and accepted in its entirety, prima facie discloses specific and detailed allegations against the Petitioners. Consequently, the Court finds no justification to invoke its inherent powers under Section 482 of the Cr.P.C. to quash the FIR at this initial stage

10. In so far as the delay in lodging the FIR is concerned, in cases involving allegations of this nature, such delay cannot, by itself, be a sufficient ground to disregard the complaint. The Supreme Court, in **Satpal Singh v. State of Haryana**,⁵ observed as follows:

“15. This Court has consistently highlighted the reasons, objects and means of prompt lodging of FIR. Delay in lodging FIR more often than not, results in embellishment and exaggeration, which is a creature of an afterthought. A delayed report not only gets bereft of the advantage of spontaneity, the danger of the introduction of a coloured version, an exaggerated account of the incident or a concocted story as a result of deliberations and consultations, also creeps in, casting a serious doubt on its veracity. Thus, FIR is to be filed more promptly and if there is any delay, the prosecution must furnish a satisfactory explanation for the same for the reason that in case the substratum of the evidence given by the complainant/informant is found to be unreliable, the prosecution case has to be rejected in its entirety. [vide State of Andhra Pradesh Vs. M. Madhusudhan Rao (2008) 15 SCC 582].

*15. However, no straight jacket formula can be laid down in this regard. **In case of sexual offences, the criteria may be different altogether. As honour of the family is involved, its members have to decide whether to take the matter to the court or not. In such a fact-situation, near relations of the prosecutrix may take time as to what course of action should be adopted. Thus, delay is bound to occur.** This Court has always taken judicial notice of the fact that*

"ordinarily the family of the victim would not intend to get a stigma attached to the victim. Delay in lodging the First Information

⁵ (2010) 8 SCC 714



Report in a case of this nature is a normal phenomenon'''

Accordingly, the delay in filing the FIR is not a valid ground to quash the FIR. Furthermore, the Prosecutrix is entitled to be afforded an opportunity to explain the reasons behind the delay in filing the FIR. Therefore, dismissing the case solely on the basis of the timing of filing the FIR, at this stage, is untenable and contrary to the interests of justice.

11. The Court, therefore, finds no ground to entertain the present petition.

12. Accordingly, the petition is dismissed along with pending applications.

SANJEEV NARULA, J

APRIL 23, 2025

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