IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. Appeal No. 248 of 2020
Reserved on: 6.10.2026
Date of Decision: 26.10.2026.

State of H.P. ...Appellant

Versus

Akshaya Kumar ...Respondents

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?[1] *No.*

For the Appellant/State : Mr Jitender Sharma, Additional Advocate General.

For the respondents : Mr Ajay Thakur, Advocate.

Rakesh Kainthla, Judge

The present appeal is directed against the judgment dated 07.03.2020 passed by the learned Special Judge, Kullu, District Kullu, H.P. (learned Trial Court), vide which the respondents (accused before the learned Trial Court) were acquitted of the commission of offences punishable under Sections 498-A read with Section 34 of the Indian Penal Code (IPC) and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act [SC & ST Act]. *(The parties*

[1] Whether reporters of Local Papers may be allowed to see the judgment? Yes.

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shall hereinafter be referred to in the same manner as they were arrayed before the learned Trial Court for convenience).

2. Briefly stated, the facts giving rise to the present appeal are that the police presented a challan against the accused before the learned Trial Court for the commission of offences punishable under Sections 498A read with Section 34 of the IPC and Section 3(1)(x) of the SC & ST Act. It was asserted that the informant was married to the accused Akshay Kumar on 20.01.2014. Her mother-in-law Anita and uncle Vijay came to the informant's house and told the informant and her husband not to visit their home as the informant belonged to a Scheduled Caste. The matter was subsequently reconciled. Her husband also used to say that the informant was a Harijan. Akshay told the informant on 09.05.2014 that he would stay in a separate room. The matter was reported to the police, and FIR (Ex. PW-3/A) was registered.

3. Puran Chand (PW-11) investigated the matter. He seized the affidavits of marriage between the informant and Akshay (Ex. PW-4/A and Ex. PW-4/B), photographs (Ex. PW-5/A-1 to Ex. PW-5/A-3), and compromises (Ex. PW-5/C and

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Ex. PW-5/D) vide memo Ex. PW-5/B. He also seized the application written by the informant (Ex. PW-5/E). He filed an application (Ex. PW-11/A) to obtain copies of Shajra Nasab. He obtained the report (Ex. PW-11/B) and a copy of Shajra Nasab (Ex. PW-11/D). He obtained the call details (Ex. PW-11/C) and billing addresses (Ex. PW-11/E and Ex. PW-11/F). He also seized the certificate (Ex. PA) issued by the Notary Public regarding the attestation of the marriage affidavits. He recorded the statements of witnesses as per their version, and after completion of the investigation, prepared the challan and filed it before the Court.

4. The learned Trial Court found sufficient reasons to summon the accused. When the accused appeared, they were charged with the commission of offences punishable under Section 498A read with Section 34 of IPC and Section 3(1)(x) of the SC & ST Act, to which they pleaded not guilty and claimed to be tried.

5. The prosecution examined eleven witnesses to prove its case. Chitra Devi (PW-1) issued the copy of the family register. Balak Ram (PW-2) supplied the copy of the Pariwar Register.

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Mathru Ram (PW-3) signed the FIR. Nageshwar Dutt (PW-4) produced the affidavit of marriage. Pooja (PW-5) is the informant. Raj Kumar Bodh (PW-6) is the informant's brother. Salma Bodh (PW-7) is the informant's mother. Padma Chhering (PW-8) was posted as Tehsildar and forwarded the revenue papers to the police. ASI Sarswati (PW-9) recorded the informant's statement after she had complained about the harassment. Rajender Singh (PW-10) did not support the prosecution case. Puran Chand (PW-11) investigated the matter.

6. The accused in their statements recorded under Section 313 of the Code of Criminal Procedure (CrPC) denied the prosecution case in its entirety. They claimed that a false case was registered against them and the witnesses had deposed falsely against them. They tendered documents in evidence.

7. The learned Trial Court held that the informant and Akshay resided in the informant's matrimonial home for some time, and thereafter they started residing separately of their own free will. The informant had made complaints, and compromises (Ex. PW-5/C and Ex. PW-5/D) were entered into between the parties. The compromises did not mention that any caste-based

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words were uttered to the informant. The root cause of the dispute between the parties was the informant’s pregnancy. It was a routine dispute between husband and wife, which was not sufficient to amount to cruelty. The prosecution was unable to prove its case beyond reasonable doubt; hence, the learned Trial Court acquitted the accused.

8. Being aggrieved by the judgment passed by the learned Trial Court, the State has preferred the present appeal asserting that the learned Trial Court erred in acquitting the accused. Efforts were made by the informant to settle the matter with the accused, and compromises were effected between the parties. These compromises corroborated the informant's version that she was being harassed and subjected to cruelty. The informant's statement was duly corroborated by Raj Kumar Bodh (PW-6), Salma Bodh (PW-7), and Rajender Bodh (PW-10). The informant was pregnant, and she was being compelled to terminate her pregnancy. The prosecution had proved its case beyond reasonable doubt, and the learned Trial Court erred in acquitting the accused; hence, it was prayed that the present appeal be allowed and the judgment passed by the learned Trial Court be set aside.

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9. I have heard Mr Jitender Sharma, learned Additional Advocate General for the appellant-State, and Mr Ajay Thakur, learned counsel for the respondents-accused.

10. Mr Jitender Sharma, learned Additional Advocate General for the appellant-State, submitted that the prosecution had proved its case beyond reasonable doubt. The informant's testimony was duly corroborated by the testimonies of her brother and mother. The learned Trial Court erred in rejecting the statements of the prosecution witnesses without any reasonable cause. Therefore, he prayed that the present appeal be allowed and the judgment passed by the learned Trial Court be set aside.

11. Mr Ajay Thakur, learned counsel for the respondents-accused, submitted that the learned Trial Court had rightly held that the dispute between the parties arose because of the informant's pregnancy. It was a routine dispute and did not amount to any cruelty. The parties were residing separately on their own. The learned Trial Court had taken a reasonable view while acquitting the accused; therefore, he prayed that the present appeal be dismissed.

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12. I have given considerable thought to the submissions made at the Bar and have gone through the records carefully.

13. The present appeal has been filed against a judgment of acquittal. It was laid down by the Hon'ble Supreme Court in ***Sanjay Kumar v. State of Bihar, 2026 SCC OnLine SC 1373,*** that the Court can interfere with a judgment of acquittal only if it is impossible, perverse, wholly unsustainable, or manifestly illegal. It was observed:

> **Scope of interference with an acquittal:**
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> **26.** At the outset, it is necessary to remind ourselves of the settled principles governing interference with an order of acquittal. An accused is presumed innocent until proven guilty. When a court of competent jurisdiction acquits the accused, the presumption of innocence is not weakened but reinforced. Where such acquittal is affirmed by the High Court, the caution to be exercised by this Court under Article 136 is even greater.
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> **27.** In ***Kali Ram v. State of Himachal Pradesh (1973) 2 SCC 808: 1973 SCC (Cri) 1048***, this Court explained the golden thread running through criminal jurisprudence in the following words:
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> > *"25. Another golden thread which runs through the web of the administration of justice in criminal cases is that if two views are possible on the evidence adduced in the case, one pointing to the guilt of the accused and the other to his innocence, the view which is favourable to the accused should be adopted. This principle has a special relevance in cases wherein the guilt of the accused is sought to be established by circumstantial evidence. A rule has accordingly been laid down that unless the evidence adduced in the case is consistent only with the hypothesis of the guilt of the accused*

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and is inconsistent with that of his innocence, the Court should refrain from recording a finding of guilt of the accused. It is also an accepted rule that in case the Court entertains reasonable doubt regarding the guilt of the accused, the accused must have the benefit of that doubt. Of course, the doubt regarding the guilt of the accused should be reasonable; it is not the doubt of a mind which is either so vacillating that it is incapable of reaching a firm conclusion or so timid that it is hesitant and afraid to take things to their natural consequences. The rule regarding the benefit of doubt also does not warrant acquittal of the accused by resort to surmises, conjectures or fanciful considerations. As mentioned by us recently in the case of State of Punjab *v.* Jagir Singh, *a criminal trial is not like a fairy tale wherein one is free to give flight to one's imagination and fantasy. It concerns itself with the question as to whether the accused arraigned at the trial is guilty of the offence with which he is charged. Crime is an event in real life and is the product of the interplay of different human emotions. In arriving at the conclusion about the guilt of the accused charged with the commission of a crime, the Court has to judge the evidence by the yardstick of probabilities, intrinsic worth and the animus of witnesses. Every case in the final analysis would have to depend upon its own facts. Although the benefit of every reasonable doubt should be given to the accused, the Courts should not at the same time reject evidence which is ex facie trustworthy on grounds which are fanciful or in the nature of conjectures."*

28. The decision in ***Kali Ram*** (supra) further cautions that wrongful acquittal and wrongful conviction do not stand on the same footing, for conviction of an innocent person causes grave injustice and shakes public confidence in the administration of criminal justice. The rule of benefit of doubt, therefore, is not technical; it is a substantive safeguard flowing from the presumption of innocence.

29. In ***Ghurey Lal v. State of Uttar Pradesh (2008) 10 SCC 450 : (2009) 1 SCC (Cri) 60***, this Court reiterated the limited scope of interference with acquittals. This Court observed:

"75. The Trial Court has the advantage of watching the demeanour of the witnesses who have given evidence;

> therefore, the appellate court should be slow to interfere with the decisions of the Trial Court. An acquittal by the Trial Court should not be interfered with unless it is totally perverse or wholly unsustainable."
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> **30.** The decision in ***Ghurey Lal*** (supra) also crystallised certain propositions: first, there is a double presumption of innocence in favour of an acquitted accused; secondly, if two views are possible, the view favourable to the accused must prevail; thirdly, though the appellate court has the power to reappreciate evidence, it should interfere only when the acquittal is manifestly illegal, perverse or results in miscarriage of justice; and fourthly, due weight must be given to the Trial Court's findings, particularly because the trial judge had the advantage of observing the demeanour of witnesses.
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> **31.** In ***Chandrappa v. State of Karnataka (2007) 4 SCC 415 : (2007) 2 SCC (Cri) 325***, this Court held that though the appellate court has full power to review and reappreciate the evidence, the presumption of innocence is strengthened by an order of acquittal. It was held that when two reasonable conclusions are possible on the basis of evidence on record, the appellate court should not disturb the finding of acquittal.
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> **32.** The same principle was restated in ***Mrinal Das v. State of Tripura (2011) 9 SCC 479***, wherein this Court held that an order of acquittal is to be interfered with only when there are compelling and substantial reasons for doing so. If two reasonable views are possible on the basis of the evidence on record, the appellate court should not disturb the finding of acquittal.
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> **33.** Therefore, the question before us is not whether another view on the evidence is possible. The question is whether the view taken by the Trial Court and affirmed by the High Court is impossible, perverse, wholly unsustainable, or manifestly illegal. Having examined the record, we are unable to hold so.

14. The present appeal has to be decided as per the parameters laid down by the Hon'ble Supreme Court.

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15. It was laid down by the Hon'ble Supreme Court in ***Kailashben Mahendrabhai Patel v. State of Maharashtra, 2024 SCC OnLine SC 2621,*** that general and vague allegations of cruelty made against the husband and his relatives are not sufficient to constitute cruelty. It was observed: -

> **"10.1**The tendency to make general, vague, and omnibus allegations is noticed by this Court in many decisions. In***Usha Chakrabortyv.State of W.B. 2023 SCC OnLine SC 90***, this Court observed that:
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> > "16... the respondent alleged commission of offences under Sections 323, 384, 406, 423, 467, 468, 420 and 120B, IPC against the appellants. A bare perusal of the said allegation and the ingredients to attract them, as adverted to hereinbefore, would reveal that the allegations are vague and they do not carry the essential ingredients to constitute the alleged offences.... The ingredients to attract the alleged offence referred to hereinbefore and the nature of the allegations contained in the application filed by the respondent would undoubtedly make it clear that the respondent had failed to make specific allegations against the appellants herein in respect of the aforesaid offences. The factual position thus would reveal that the genesis as well as the purpose of criminal proceedings are nothing but the aforesaid incident, and further that the dispute involved is essentially of a civil nature. The appellants and the respondents have given a cloak of a criminal offence to the issue..."
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> **10.2**Similarly, dealing with allegations lacking in particulars and details, in ***Neelu Chopra v. Bharti (2009) 10 SCC 184***, this court observed that:

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> "7. ...what strikes us is that there are no particulars given as to the date on which the ornaments were handed over, as to the exact number of ornaments or their description and as to the date when the ornaments were asked back and were refused. Even the weight of the ornaments is not mentioned in the complaint, and it is a general and vague complaint that the ornaments were sometimes given in the custody of the appellants, and they were not returned. What strikes us more is that even in Para 10 of the complaint, where the complainant says that she asked for her clothes and ornaments, which were given to the accused, and they refused to give these back, the date is significantly absent."

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12. The complaint also refers to a small incident where the complainant's brother accompanied her to the matrimonial house when appellants no. 1 and 3 are alleged to have refused to take her back, but on persuasion by her brother, she was allowed to stay. There is also a vague allegation that, when the complainant gave birth to a second child, appellants 1 and 2 came and*"quarrelled"* with the complainant, her brother, and her parents and threatened them. This Court had occasion to examine the phenomenon of general and omnibus allegations in the cases of matrimonial disputes. In ***Mamidi Anil Kumar Reddy v. State of A.P., 2024 SCC OnLine SC 127,*** this Court observed that:

> "14. ...A bare perusal of the complaint, statement of witnesses and the charge sheet shows that the allegations against the Appellants are wholly general and omnibus in nature; even if they are taken in their entirety, they do not prima facie make out a case against the Appellants. The material on record neither discloses any particulars of the offences alleged nor discloses the specific role/allegations assigned to any of the Appellants in the commission of the offences.

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> 15. The phenomenon of false implication by way of general omnibus allegations in the course of matrimonial disputes is not unknown to this Court. In ***Kahkashan Kausar alias Sonam v. State of Bihar***, this Court dealt with a similar case wherein the allegations made by the complainant-wife against her in-laws u/s. 498A and others were vague and general, lacking any specific role and particulars. The court proceeded to quash the FIR against the accused persons and noted that such a situation, if left unchecked, would result in the abuse of the process of law."

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13.1 In***Kahkashan Kausarv.State of Bihar (2022) 6 SCC 599,*** this Court noticed the injustice that may be caused when parties are forced to go through the tribulations of a trial based on general and omnibus allegations. The relevant portion of the observation is as follows:

> "11. ... In recent times, matrimonial litigation in the country has also increased significantly, and there is greater disaffection and friction surrounding the institution of marriage now more than ever. This has resulted in an increased tendency to employ provisions such as Section498-AIPCas instruments to settle personal scores against the husband and his relatives.
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> 18. ... upon a perusal of the contents of the FIR dated 1-4-2019, it is revealed that general allegations are levelled against the appellants. The complainant alleged that "all the accused harassed her mentally and threatened her with terminating her pregnancy. Furthermore, no specific and distinct allegations have been made against either of the appellants herein, i.e. none of the appellants has been attributed any specific role in furtherance of the general allegations made against them. This simply leads to a situation wherein one fails to ascertain the

> role played by each accused in furtherance of the offence. The allegations are, therefore, general and omnibus and can, at best, be said to have been made out on account of small skirmishes... However, as far as the appellants are concerned, the allegations made against them, being general and omnibus, do not warrant prosecution.
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> 21. ...it would be unjust if the appellants are forced to go through the tribulations of a trial, i.e. general and omnibus allegations cannot manifest in a situation where the relatives of the complainant's husband are forced to undergo a trial. It has been highlighted by this Court in varied instances that a criminal trial leading to an eventual acquittal also inflicts severe scars upon the accused, and such an exercise must, therefore, be discouraged."

16. This position was reiterated in ***Dara Lakshmi Narayana v. State of Telangana, 2024 SCC OnLine SC 3682,*** wherein it was observed:

> **18.** A bare perusal of the FIR shows that the allegations made by respondent No. 2 are vague and omnibus. Other than claiming that appellant No. 1 harassed her and that appellant Nos. 2to6 instigated him to do so, respondent No. 2 has not provided any specific details or described any particular instance of harassment. She has also not mentioned the time, date, place, or manner in which the alleged harassment occurred. Therefore, the FIR lacks concrete and precise allegations.

17. This position was reiterated in ***Geddam Jhansi v. State of Telangana, 2025 SCC OnLine SC 263,*** wherein it was observed:

> "**31.** Invoking criminal process is a serious matter with penal consequences involving coercive measures, which can be permitted only when the specific act(s) which

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constitute offences punishable under thePenal Codeor any other penal statute are alleged or attributed to the accused and a*prima facie*case is made out. It applies with equal force when criminal laws are invoked in domestic disputes. Criminalising domestic disputes without specific allegations and credible materials to support the same may have disastrous consequences for the institution of family, which is built on the premise of love, affection, cordiality and mutual trust. The institution of family constitutes the core of human society. Domestic relationships, such as those between family members, are guided by deeply ingrained social values and cultural expectations. These relationships are often viewed as sacred, demanding a higher level of respect, commitment, and emotional investment compared to other social or professional associations. For the aforesaid reason, the preservation of family relationships has always been emphasised. Thus, when family relationships are sought to be brought within the ambit of criminal proceedings, rupturing the family bond, courts should be circumspect and judicious and should allow invocation of the criminal process only when there are specific allegations with supporting materials that clearly constitute criminal offences.

32. We have to keep in mind that in the context of matrimonial disputes, emotions run high, and as such, in the complaints filed alleging harassment or domestic violence, there may be a tendency to implicate other members of the family who do not come to the rescue of the complainant or remain mute spectators to any alleged incident of harassment, which in our view cannot by itself constitute a criminal act without there being specific acts attributed to them. Further, when tempers run high, and relationships turn bitter, there is also a propensity to exaggerate the allegations, which does not necessarily mean that such domestic disputes should be given the colour of criminality.

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33. It goes without saying that genuine cases of cruelty and violence in the domestic sphere, which do happen, ought to be handled with utmost sensitivity. Domestic violence typically happens within the four walls of the house and not in the public gaze. Therefore, such violence is not noticed by the public at large, except perhaps by the immediate neighbours. Thus, providing visible evidence by the victim of domestic violence may not be easily forthcoming and producing direct evidence may be hard and arduous, which does not necessarily mean that domestic violence does not occur. In fact, to deal with this pernicious phenomenon, stringent statutes like the Protection from Domestic Violence Act, 2005, have been enacted with a very expansive meaning and scope of what amounts to domestic violence. Since violence perpetrated within the domestic sphere by close relatives is now criminalised, entailing serious consequences for the perpetrators, the courts have to be careful while dealing with such cases by examining whether there are specific allegations with instances against the perpetrators and not generalised allegations. The purpose and mandate of the law to protect the victims of domestic violence is of paramount importance, and as such, a balance has to be struck by ensuring that while perpetrators are brought to book, all the family members or relatives are not indiscriminately brought within the criminal net in a sweeping manner.

34. For a matrimonial relationship that is founded on the basis of cordiality and trust to turn sour to an extent that makes a partner hurl allegations of domestic violence and harassment against the other partner would normally not happen at the spur of the moment, and such an acrimonious relationship would develop only in the course of time. Accordingly, such a situation would be the culmination of a series of acts which turn, otherwise, an amicable relationship into a fractured one. Thus, in such cases involving allegations of domestic violence or harassment, there would normally be a series of offending

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> acts, which would be required to be spelt out by the complainant against the perpetrators in specific terms to rope such perpetrators in the criminal proceedings sought to be initiated against them. Thus, mere general allegations of harassment without pointing out the specifics against such perpetrators would not suffice, as is the case in respect of the present appellants.
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> **35.** We are, thus, of the view that in criminal cases relating to domestic violence, the complaints and charges should be specific, as far as possible, as against each and every member of the family who is accused of such offences and sought to be prosecuted, as otherwise, it may amount to misuse of the stringent criminal process by indiscriminately dragging all the members of the family. There may be situations where some of the family members or relatives may turn a blind eye to the violence or harassment perpetrated on the victim and may not extend any helping hand to the victim, which does not necessarily mean that they are also perpetrators of domestic violence unless the circumstances clearly indicate their involvement and instigation. Hence, implicating all such relatives without making specific allegations and attributing offending acts to them and proceeding against them without*prima facie*evidence that they were complicit and had actively collaborated with the perpetrators of domestic violence would amount to abuse of the process of law."

18. The prosecution evidence has to be appreciated as per the parameters laid down by the Hon'ble Supreme Court.

19. The informant Pooja (PW-5) stated that she was married to Akshay on 20.01.2014 at Bhima Kali Temple at Mandi. She was two months pregnant when she and Akshay went to Arunachal for business. She told her husband that she was

pregnant. The accused threatened her that he would consume poison and forced her to abort/terminate the pregnancy. They came to 15 Miles, Manali. Anita and Vijay came to her house at 15 Miles and told her that she belonged to a Scheduled Caste and she should never visit their house. She went to Police Station Manali, where a compromise was effected. The accused did not allow her to visit their house. Her husband also told her that she belonged to a Scheduled Caste and he could not take her to his house. The matter was again compromised between the parties. She went to SP Kullu, who tried to persuade the accused, but she was not taken to her matrimonial home.

20. She admitted in her cross-examination that a dispute arose at Arunachal between her and her husband. She admitted that she and Akshay were fully aware of the caste of each other. She also admitted that the parents of Akshay were not aware of the marriage when the affidavits were executed between her and Akshay. She admitted that she went to the house of her parents-in-law along with Akshay after her marriage and stayed in the house of her in-laws for seven days. She admitted that no objection was raised by Akshay or other family members.

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21. The informant’s cross-examination shows that she had accompanied her husband to his home and had stayed with him in her matrimonial home. Therefore, her statement that she was not being permitted to reside in her matrimonial home because of her caste is not established.

22. The compromise (Ex. PW-5/D) dated 06.05.2014 only mentions that a dispute arose between the parties and the parties had settled the matter. The informant and her husband would reside separately, and the informant's husband would take care of her. It nowhere mentions that any caste-based remarks were made by the informant's husband or his relatives. Therefore, this compromise does not corroborate the informant’s version.

23. Raj Kumar Bodh (PW-6) stated that the informant and Akshay had married each other, and both of them stayed in his house for about one month. Akshay and the informant went to the house of Salma. Subsequently, Akshay's parents and his uncle abused them by saying that they belonged to a Scheduled Caste. He stated in his cross-examination that the informant and her husband had visited his house after 2–3 days of the marriage. Akshay told him that he would try to persuade his parents. Both

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the informant and her husband resided happily in his house for about one month. The differences arose between the parties because Akshay was asking the informant to terminate her pregnancy.

24. The informant has not stated that the parents of Akshay visited the house of Salma at 15 Miles and abused the informant and her family members in the name of their caste, and this part of the testimony of the witness has remained uncorroborated.

25. Salma (PW-7) stated that Raj Kumar telephonically informed her in January, 2014 that informant Pooja had solemnised marriage with Akshay. Pooja and Akshay resided in her house. The mother and uncle of Akshay used to call the informant and Akshay at Naggar. They used to say that the informant belonged to a Scheduled Caste, and she could not become the daughter-in-law of the family. A dispute arose between the parties at Arunachal after the informant disclosed her pregnancy. The accused Akshay threatened to consume poison if the pregnancy was not terminated. They returned to 15 Miles, and the matter was reported to Police Station Manali,

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where Akshay furnished an undertaking that he would keep the informant properly. However, the accused did not adhere to the undertaking. Akshay's mother and uncle Vijay used to say that the informant belonged to the Scheduled Caste and could not be kept by them in the family. Again, a compromise was effected.

26. The statement of this witness does not show that the parents of Akshay and his uncle had visited her home and told the informant that she belonged to a Scheduled Caste and could not reside with them in their home. She merely stated that the mother and uncle of Akshay used to call the informant and tell her that she could not be kept as a daughter-in-law of the family because she belonged to a Scheduled Caste. This was not even stated by Raj Kumar Bodh (PW-6) or by the informant. Therefore, the same cannot be accepted.

27. Salma admitted in her cross-examination that earlier the relationship between the informant and her husband was cordial. She admitted that Akshay had not gone to his parents' house after marriage, and the differences arose between the parties only in Arunachal Pradesh. She admitted that Akshay's parents were residing separately from his uncle.

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28. The cross-examination of this witness also makes the prosecution case doubtful. She has specifically stated that the relationship between the parties was cordial before they had gone to Arunachal Pradesh and the informant had disclosed about her pregnancy to Akshay. Her statement that the informant and Akshay had never gone to the house of Akshay falsifies the prosecution case that the accused had turned the informant out of her matrimonial home by saying that she belonged to the Scheduled Caste and could not be kept in the house.

29. Rajender Singh (PW-10) stated that Akshay started maltreating the informant because she belonged to the Scheduled Caste. Salma Bodh made a complaint at the police station, where a compromise was effected. The dispute had continued even after the compromise, but he could not tell the reason for the dispute. He was permitted to be cross-examined, and he admitted that Akshay and his family members used to maltreat the victim because she belonged to the Scheduled Caste. He stated in his cross-examination that the marriage between the informant and Akshay was a love marriage. He found out that

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the dispute was between husband and wife on petty issues, and no incident had taken place in his presence.

30. The statement of this witness shows that he had not witnessed any incident between the informant and her husband; rather, he stated that the dispute was a simple dispute between husband and wife over petty matters. Therefore, the learned Trial Court was justified in holding that the dispute between the parties was a matrimonial dispute which did not involve any cruelty.

31. There was no other evidence to prove that the accused had treated the informant with cruelty or that they had insulted the informant in the name of her caste or prevented her from visiting their home because of her caste. The learned Trial Court had taken a reasonable view by holding that the prosecution case was not proved beyond reasonable doubt, and this Court will not interfere with a reasonable view of the Court acquitting the accused even if another view is possible.

32. No other point was urged.

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33. In view of the above, the present appeal fails, and it is dismissed. Pending miscellaneous application(s), if any, also stand disposed of.

34. In view of the provisions of Section 437-A of the Code of Criminal Procedure (Section 481 of Bhartiya Nagarik Suraksha Sanhita, 2023) the respondents/accused are directed to furnish bail bonds in the sum of ₹25,000/- each with one surety each in the like amount to the satisfaction of the learned Trial Court within four weeks, which shall be effective for six months with stipulation that in the event of Special Leave Petition being filed against this judgment, or on grant of the leave, the respondents/accused on receipt of notice thereof, shall appear before the Hon'ble Supreme Court.

35. Records be returned to the learned Trial Court forthwith, along with a copy of the judgment.

(Rakesh Kainthla)
Judge

26th October, 2026
(Chander)