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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2721/2023 & CRL.M.A. 10235/2023**
SWARNIMA TRIPATHIPetitioners

Through: Mr. Vishal Arun Mishra, Advocate
(Through VC)

versus

STATE OF NCT DELHI & ANR.Respondent

Through: Ms. Priyanka Dalal, APP for State
IO-ASI Praveen, PS Shakar Pur and
ASI Ajay, PS Cyber, New Delhi

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

05.05.2026

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1. Petitioner seeks quashing of FIR No. 139/2023 registered at Police Station Shakkar Pur for commission of offence under Section 365 IPC.
2. Petitioner No. 1 Smt. Swarnima Tripathi married to one Girish Datt Shukla in the year 2021. Fact, however, remains that said Girish Datt Shukla is missing and, therefore, his brother lodged a report with the police which has resulted in the registration of aforesaid FIR. He apprehends that his brother Girish Datt Shukla has been kidnapped and murdered by his wife and her family members.
3. Investigation is still underway and according to learned Addl. P.P. for State, as of now, there is no further clue about the whereabouts of missing husband of petitioner No. 1 Swarnima Tripathi.
4. When this Court had taken up the present petition on 19.04.2023, the learned Predecessor Bench had directed that let no coercive process be taken against the petitioner, subject to her joining the investigation.

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5. She has, reportedly, joined the investigation, already.
6. Fact, however, remains that the alleged missing person has yet not been found. Though petitioners suspect that the missing person has married to someone else and has settled at some unknown place, even they are not aware about any concrete details in this regard.
7. Learned counsel for petitioners states that he is not hampering the investigation in any manner whatsoever, though, fact remains that FIR is merely a counterblast to the earlier report lodged by petitioner No. 1. He submits that petitioners would keep on rendering the requisite assistance to the investigating agency and, after some arguments, seeks to withdraw the present petition with liberty to file it afresh at later stage as and when the investigation is complete and the police decides to file any charge-sheet.
8. In view of the above, present petition is disposed of as not pressed.
9. All rights and contentions of the parties are reserved.
10. Liberty, as prayed for, is granted.
11. As noted already, the petitioners were granted interim relief way back on 19.04.2023 and if the investigating agency feels any real necessity, based on some fresh material collected during the investigation, to take any coercive step against the petitioners, it would be at liberty to do so but not before giving them advance notice of two weeks in writing.
12. Pending application also stands disposed of in aforesaid terms.

MANOJ JAIN, J

MAY 5, 2026/dr/sy