



2026:AHC:105819

HIGH COURT OF JUDICATURE AT ALLAHABAD
MATTERS UNDER ARTICLE 227 No. - 13328 of 2025

Smt. Rekha Devi

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rishabh Agarwal, Shashank Singh, Shobhit Agrawal
Counsel for Respondent(s)	:	G.A., Somdev Dixit

Court No. - 89

HON'BLE ANIL KUMAR-X, J.

1. Heard learned counsel for the petitioner, learned counsel for the private respondent, and Sri Amrit Raj Chaurasia, learned State counsel for the State-respondent.
2. This writ petition has been filed by the petitioner with the prayer that this Hon'ble Court may graciously be pleased to issue an order or direction in the nature of setting aside the impugned orders dated 30.09.2025 and 24.01.2025 passed by the learned Trial Court as well as the learned Revisional Court, whereby the petitioner's application under Section 319 Cr.P.C. has been erroneously and illegally rejected. It is further prayed that this Hon'ble Court may be pleased to allow the petitioner's application under Section 319 Cr.P.C. and summon the proposed accused persons (respondent nos. 2 to 4) to face trial, so as to ensure a fair, complete, and effective adjudication of the case in accordance with law.
3. Learned counsel for the petitioner submitted that he had lodged Complaint Case No. 6577 of 2010 (Smt. Rekha vs. Vipin and Others). The statements of the petitioner/complainant and her witnesses were recorded under Sections 200 and 202 Cr.P.C. All the witnesses have consistently alleged that all the accused persons, namely Vipin Kumar alias Ravi, Ram Mohan, Shakuntala, Manju, and Bablu, were involved in demanding additional dowry as well as harassing the petitioner on account of such demand. He further submitted that after the commencement of trial, the statements of the witnesses were again recorded, and all the witnesses reiterated their earlier version. However, when an application under Section

319 Cr.P.C. was moved by the petitioner in Complaint Case No. 6577 of 2010, the same was dismissed without assigning any reason. The learned Trial Court has not recorded any finding as to why it disbelieved the statements of the witnesses when there is no inconsistency or infirmity therein. He further submitted that, being aggrieved by the order dated 24.01.2025 passed in Complaint Case No. 6577 of 2010, the petitioner preferred Criminal Revision No. 50 of 2025 (Rekha Devi vs. State of U.P. and Others). The said criminal revision was also dismissed on 30.09.2025, holding the order of the learned Trial Court to be proper. Learned counsel for the petitioner submitted that there was no reason for not summoning the proposed accused, namely Shakuntala, Manju, Bablu, and Ram Mohan, if the allegations in the statements were fully corroborated by the version made in the complaint. He submitted that both the orders are illegal and liable to be set aside.

4. Per contra, learned counsel for the private respondents submitted that general allegations have been made against them by the petitioner. He submitted that Ram Mohan is the brother-in-law, Shakuntala is the mother-in-law, and Manju is the sister-in-law of the petitioner, and that they were not involved in the alleged offence in any manner. It was further submitted that there were no specific allegations at the stage when the statements of the complainant and her witnesses were recorded under Sections 200 and 202 Cr.P.C., and that the allegations were introduced later at the stage when their statements were recorded under Section 244 Cr.P.C. and after the framing of charges. He submitted that the learned Trial Court has properly exercised its discretion in dismissing the petitioner's application.

5. Heard learned counsel for the parties and perused the order passed by the learned Trial Court.

6. It is apparent that the allegation pertains to demand of dowry and subsequent harassment on that account. It has become a common practice to implicate the family members of the husband in cases involving allegations of dowry demand and harassment. All the proposed accused persons are close relatives of the husband, namely the brother-in-law, sister-in-law, and mother-in-law of the complainant. The complaint filed along with this petition also reveals that Shakuntala, the alleged mother-in-law, is about sixty years of age. Similarly, Manju is a married sister-in-law. Hence, making omnibus and bald allegations against all the family members of the

husband does not inspire confidence.

7. The findings recorded by the learned Trial Court, which were subsequently upheld by the learned Revisional Court, do not warrant any interference.

8. Accordingly, both the orders passed by the learned Trial Court are upheld, and the present petition is dismissed.

May 7, 2026
Mukesh

(Anil Kumar-X,J.)

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