

RITIKA KANSAL  
JMFC (Mahila Court-02)  
Court No. 24  
Karkardooma Court, Delhi

47 CR Cases 219/2024  
STATE Vs. ANUJ KUMAR  
102/2023 (Mandawali)

05.06.2026

Present: Sh. Prabhat Kumar Tripathi, Ld. APP for State.  
Ms. Priitha Khanna, Id proxy counsel for all accused.  
Sh. Satyam Sondh Id counsel through VC.  
Accused Anuj Through VC.  
Accused Vinita through VC. (not visible)  
Remaining accused through VC. (neither visible nor audible)

Matter is at the stage of order on charge.

Put up for order at 04:00 p.m.

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(RITIKA KANSAL)  
JMFC(Mahila Court-02)  
East/Delhi/05.06.2026  
Judicial Magistrate First Class  
Mahila Court - 02, Court No. 24  
East, Karkardooma Court, Delhi

At 04:30 p.m.

Present: None.

1. In the present case, Anuj Kumar (husband), Vinita (sister-in-law/jethani), Sushil (mother-in-law), Prem Chand (father-in-law) and Kamal Kishore (brother-in-law/jeth) have been charge-sheeted for the offences punishable u/s 498A/406/34 IPC. Accused husband has been additionally charge-sheeted for the offence u/s 506 IPC.

2. Arguments on charge have been heard on behalf of both the sides. Separate discharge applications have been filed on behalf of accused persons. The discharge application has been filed primarily on the grounds that the accused persons except the accused husband had never resided with the complainant and had never interacted with her. It has been alleged that rather it was the complainant and her family members who had filed false FIRs against accused husband and his brother and had extorted money. It has been further alleged that since the marriage was solemnized at Arya Samaj Mandir, in presence of 3-4 individuals, no dowry articles were exchanged. It has been further stated in the application that it is rather the complainant who has



threatened to initiate another false rape complaint against accused father-in-law and that this threatening statement was recorded by the accused husband and it has been made part of the divorce proceedings. It has been further alleged that the allegations made by the complainant are false, fabricated which are not even mentioned in the original FIR and the petition u/s 12 of PWDV Act and that no specific role has been mentioned. The ld counsel for the accused has relied upon the several judgments as mentioned in the application. Contrary submissions made on behalf of ld. APP for the State.

3. I have perused the file and considered the arguments.

4. As per record, the FIR came to be registered on the basis of a complaint dt. 19.09.2022. In the said statement, the complainant has alleged that accused husband made physical relations with her without her consent from 2018 to 2020 when she was living at Ajmer. In the year 2020, upon being pressurized by accused husband, she shifted to Delhi where accused continued to visit her and eventually on 17.02.2022, the accused refused to marry her. It is stated that she filed a complaint at PS Laxmi Nagar which led to registration of FIR bearing no. 249/2022 PS Laxmi Nagar on 21.02.2022 and the accused husband was arrested. It is alleged that out of fear and to avoid going to jail, the accused has approached the complainant and expressed his desire to marry her due to which she gave a statement u/s 164 CrPC in favor of accused but as soon as he got bail, he again refused to marry her and started threatening her. It is further alleged that on 07.04.2022, she was called by accused Kamal Kishore for settlement but she was raped by the said accused and she filed a complaint at PS Vijay Vihar on 11.04.2022 leading to registration of FIR no. 293/2022 u/s 376/228/506 IPC. It is alleged that after the registration of said FIR, accused husband pressurized her to marry him and also to save his brother. With the intention to save her relation, the complainant did not object to the anticipatory bail of accused Kamal Kishore and he got bail in August, 2022. It is stated that

in the meanwhile, on 14.04.2022, she married the accused husband and started living at Mandawali at complainant's home. It is alleged that to take revenge from the complainant, accused husband started to beat her on daily basis, use to snatch her mobile phone so that she cannot file any complainant with police. It is alleged that all other accused used to conspire against her. It is alleged that the said accused demanded Rs. 15 lacs from her parents and accused Anuj called her mother to demand Rs. 15 lacs. Accused Anuj had illicit relations with accused Vinita since 2020 and that the said accused refused to have conjugal relations with the complainant and also used to threaten her. She has further made allegations of financial neglect by the accused husband, instigation by accused Vinita and threats given by accused parents-in-law (using accused husband's mobile phone) to leave their son otherwise she will be killed or that she will be humiliated in front of entire village. She has further alleged that on 13.09.2022, the accused Anuj continued to physically assault her throughout the night and on 14.09.2022, abused her, threatened to implicate her in false case and left her and blocked the complainant's number. It is further stated that the complainant filed a missing complainant at PS Mandawali, he was called by the police officers but he refused to come to the police station.

5. The IO has also collected certain photographs, certain whatsapp chats and filed the same in the charge-sheet. The perusal of the entire record reveals that the dispute has its genesis from the complainant's desperation to marry the accused Anuj who for the reasons unknown was unwilling to marry her. The record further reflects that the complainant even though has alleged frequent physical assault by accused Anuj, she had not filed even a single contemporaneous complaint regarding same. Furthermore, even though she claimed that she was beaten throughout the night on 13.09.2022, there is no mention of any PCR call or complaint given in the morning. She has not even mentioned whether she received any injury on 13.09.2022 or sought any



medical help. Further, she has not mentioned on what date or occasion, the demand of Rs. 15 lacs was raised. Even otherwise, there is nothing on record to suggest that the demand was accompanied by any kind of condition or threat or that the accused was allegedly harassed for not meeting the said demand. Further, there is no reference to any dowry article handed over to any particular accused and not returned by the accused persons. Therefore, there appears to be insufficient material on record to proceed against all the aforementioned accused for the offence u/s 498A/406/34 IPC. Accordingly, **accused Anuj Kumar, Vinita, Sushil, Prem Chand and Kishore are hereby stands discharged of the offences u/s 498A/406/34 IPC.**

6. As far as offence u/s 506 IPC is concerned, same is not exclusively triable by this court being Mahila Court. Hence, **let the file be put up before the Ld. CJM, East KKD Delhi on 08.06.2026 at 02:00 p.m. with the request to transfer the matter to the concerned Thana Court.**

7. With the aforementioned observations, **the application of the accused persons stands disposed of as partly allowed.**

8. **All the accused are directed to appear before the concerned court on date and time fixed.**

9. **Ahlmad to do the needful.**

10. **Copy of order be given dasti, if requested.**



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(RITIKA KANSAL )  
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Judicial Magistrate First Class  
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