

6. Section 498-A stipulates that:-

"Husband or relative of husband of a woman subjecting her to cruelty- whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine".

Explanation- For the purpose of this section, "cruelty" means-

(a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or

(b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

7. Section 34 IPC stipulates that:-

"Acts done by several persons in furtherance of common intention- when a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone".

8. Perusal of the record reveals that complainant has categorically alleged physical and mental torture/harassment caused to her by her husband/accused

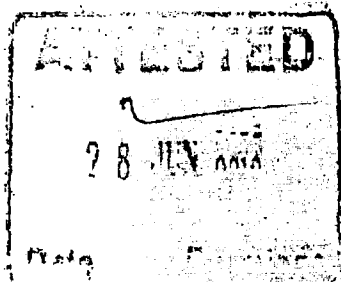
i. She also levelled allegations of

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unnatural sex being committed with her by her husband

There are several allegations of physical and mental abuse of the complainant by the husband.

9. She further categorically stated in her complaint that she has entrusted her entire jewellery articles to the husband who handed over the same to mother in law and father in law and till date jewellery is in the control and custody of accused

and all of them refused to return the same despite several requests and demands being made by the complainant. Furthermore, there are also allegations of demand of dowry.

10. However, there is no specific allegations of harassment, cruelty and breach of trust etc., qua accused therefore, accused stands discharged in the present case.

11. Accordingly, on the basis of record, prima facie offence under Section 406/498-A IPC & 4 D.P. Act is made out against the accused and prima facie offence under Section 406/34 IPC & 4 D.P. Act is made out against the accused persons. Charge be framed accordingly.

12. List for framing of charge on 06.08.2019.

ANNOUNCED IN OPEN COURT
Dated: 07.06.2019

(Shilpi Jain)
MM, Mahila Court-02,
North/West Rohini Courts
07.06.2019

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