

(2023) 08 DEL CK 0065

In the Delhi High Court

Case No : Criminal Revision Petition No. 48, 49 Of 2023, Criminal Miscellaneous Application No. 1282, 1296, 2339 Of 2023

Manoj Kumar And Anr

APPELLANT

Vs

State Of Nct Of Delhi

RESPONDENT

Date of Decision : 07-08-2023

Acts Referred:

Indian Penal Code, 1860 — Section 34, 405, 406, 489A, 498A
Code Of Criminal Procedure, 1973 — Section 164, 397
Hindu Marriage Act, 1955 — Section 13(i)(a)

Citation : (2023) 08 DEL CK 0065

Hon'ble Judges : Jasmeet Singh, J

Bench : Single Bench

Advocate : Ajay Mehrotra, Aashneet Singh, Rahul Mohod, Shekhar Aggarwal, Pradeep Mohod

Final Decision : Disposed Of

Judgement

Jasmeet Singh, J

1. These are two petitions seeking setting aside of the orders dated 26.08.2022, 31.08.2022 and 17.09.2022 passed by the learned MM (Mahila Court-02), East District, Karkardooma Courts, Delhi, in Case No 1123/2019 in FIR No. 353/2017, whereby the charges were framed against the revisionists/petitioners u/s 498A/406/34 of the Indian Penal Code, 1860 (IPC).

2. The circumstances in which the present petitions arise are that the marriage between Ms. Anju Kumari/R-2 and Mr. Puneet Kumar/P-1 (in Crl.Rev 49/2023) was solemnized on 29.05.2014 as per Hindu rites and ceremonies. A son was born out of wedlock. Pursuant to a complaint by R-2/complainant with the CAW Cell, East District, a FIR No.353/17 dated 30.09.2017 was registered against namely i) Mr. Puneet Kumar, ii) Mr. Komal Singh/father-in-law (P-2 in Crl.Rev 49/2023), iii) Mrs. Santosh Devi/mother-in-law (P-2 in Crl.Rev 48/2023), iv) Mr. Manoj Kumar/elder brother-in-law (P-1 in Crl.Rev 48/2023), v) Mr. Sumit@Sunny/

younger brother-in-law of R-2; alleging that R-2 has suffered cruelty and harassment at the hands of the said persons because of repeated demands of dowry. She further alleged that they have usurped her stridhan, which was and continues to be in their possession.

3. Thereafter, the learned Trial Court on 26.08.2022 while relying on the case of UOI v Prafulla Kumar Samal (1979) 3 SCC 4 discharged Mr. Sumit Kumar@Sunny stating that from the perusal of the complaint and the statement of R-2 under section 164 the Code of Criminal Procedure, 1973 (Cr.PC), no specific allegation is raised against him. However, it records that in light of the observations and discussions raised, section 498A/406/34 is attracted against the present petitioners and hence charges are to be framed against them. The relevant portion of the order dated 26.08.2022 reads, inter-alia, as under:

“***

In the lite of the aforesaid observation and discussions, Section 498A/406/34 IPC is attracted against the accused persons Puneet Kumar, Komal Singh, Santosh and Manoj Kumar. Accordingly, put up for framing of charge u/s 498A/406/34 IPC against the accused Vineet Kumar, Komal Singh, Santosh and Manoj Kumar on 31.08.2022.”

4. The charges against Mr. Puneet Kumar and Mr. Komal Singh were framed on 31.08.2022, and against Mr. Manoj Kumar and Ms. Santosh Devi on 17.09.2022. The orders are identical. For the sake of brevity, the order dated 31.08.2022 is reproduced, inter-alia, as under:

“I, SHAZADI HALIMA SADIYA, MM (Mahila Court-2) East, KKD courts, Delhi do hereby charge against all the accused persons namely 1) Puneet Kumar and 2) Komal Singh as follows:

That during the period from the date of marriage of the complainant Smt. Anju D/o Sh. Veer Singh with accused Puneet Kumar on 29.05.2014 till the registration of present FIR, while staying at H. No. 46A, DDA Flats, Dwarka, Delhi you both accused persons alongwith accused Manoj Kumar and Santosh Devi, in furtherance of your common intention had subjected the complainant Smt. Anju to physical cruelty coupled with mental cruelty in order to coerce her to fulfill your unlawful demands and demand for dowry as mentioned in the complaint itself and thereby you all accused persons have committed the offence punishable under Sec. 498-A/34 IPC, 1860 and within my cognizance.

Secondly, that during period and at the place stated above, you both accused persons alongwith accused Manoj Kumar and Santosh Devi, in furtherance of your common intention had misappropriated the stridhan/dowry articles of the complainant as mentioned in the complaint as well as other documents on charge sheet and did not return the same despite demands of the complainant and thus you all accused persons have committed an offence under Section 406/34 IPC, 1860 and within my cognizance.

And I hereby direct you both the accused persons be tried for the aforesaid offence within the cognizance of this court.”

5. Aggrieved, the petitioners preferred the present revision petitions.

6. The petitioners contend that the charges u/s 498A/406/34 IPC have been framed unjustly and illegally because the ingredients of the alleged offences are not made out by R-2 against them. It is stated that the cardinal principle in law while considering the question of framing of charges, prima-facie, the broad probabilities of the case has to be established; which is amiss in the circumstances so drawn in the complaint of R-2. Reliance is placed upon a judgment of the High Court of Delhi in Parvinder Kaur Vs. Kanwaljit Kaur, 1998 SCC OnLine Del 874. The relevant portion, inter-alia, reads as under:

“...8. It is well settled that while considering the question of framing charge, the Trial Court has to consider broad probabilities of the case and the total effect of the material on record. It has to sift and weigh the evidence for a limited purpose whether or not a prima facie case against the accused has been made out.”

7. The petitioners further contend that Mr. Puneet Kumar had formerly initiated proceedings under section 13(i)(a) of the Hindu Marriage Act, 1955 ('HMA') for dissolution of marriage on the ground of cruelty which is pending adjudication. The initiation of criminal proceedings by R-2 against the present petitioners was a counterblast to the same. It is only an endeavour to harass and defame them.

8. R-2 alleges that the repeated unlawful demands apropos money and purchase of flat made by the petitioners is in itself an act amounting to cruelty, and thereby is an offence under section 498A of IPC. It is further stated by R-2 that the petitioners are in continued possession of her stridhan and are intentionally misappropriating the same for their use and benefit. This withholding of stridhan and its use amounts to offence u/s 406 of IPC. She submits that at the stage of framing of charge, the probative value of the materials cannot be gone into and the materials brought on record by the prosecution have to be accepted as true in the instance.

9. Further, R-2 raises objections to the maintainability of the present revision petitions stating that the petitioners should have approached Sessions Court in the first instance.

10. I have heard the submissions on behalf of both the parties and have gone through the material on record.

11. At the outset, the objection with respect to the maintainability of the present revision petitions does not find favour with me. The revisional power of this court is equally concurrent to the revisional powers of the Sessions Court. Since the FIR is of the year 2017 and in view of the fact that speedy justice is a matter of constitutional right in our criminal judicial system, relegating the matter to the Sessions Court will be a further wastage of valuable time of the petitioners and of

the Court. Reliance is placed upon the dicta of the Hon'ble Supreme Court in *Chander Bhan Singh v. CBI & Ors.*, (2019) 3 SCC 193, held as under:

"6. The Magistrate reheard all the parties and by order dated 24-5-2012 accepted the closure report of CBI. The appellant complainant challenged the order before the High Court of Delhi by way of a criminal revision petition under Section 397 CrPC on 12-9-2012. After keeping the aforesaid matter pending for more than two years, the High Court, by order dated 28-10-2014, dismissed the petition of the appellant complainant, with liberty to approach the Sessions Judge. The High Court, observed as follows: (SCC OnLine Del para 2)

"2. ... this Court had noted that since the order had been passed by the Magistrate, the next hierarchal court is the Sessions Judge and although admittedly there are concurrent powers vested with both the courts i.e. the High Court and the Sessions Court to entertain a revision petition but there being no special circumstance to bypass the forum of the Sessions Judge, this Court is of the view that it would be appropriate if the petitioner first approaches the lower forum i.e. the Sessions Court and unless and until there is an exceptional circumstance, he may approach the High Court only thereafter."

(emphasis supplied)

7. Initially, when this matter was placed before this Court, the learned Senior Counsel appearing on behalf of the parties had argued at length and had taken us through various legal provisions and case laws pertaining to the issue of concurrent revisionary jurisdiction under the new Code. Moreover, the learned counsel had also sought a reference to a larger Bench to, once and for all, decide and settle the question regarding choice of jurisdiction under Section 397 CrPC.

8. Having considered the fact that this case had taken place as long back as in the year 2002 and almost sixteen years have elapsed, and that it is ingrained in our criminal justice system that we seek to provide speedy justice as a matter of a constitutional right, we do not consider this case to be an appropriate one to decide on the question of law considering the peculiar facts and circumstances involved.

9. Having said so, we leave the question of law open, set aside the order of the High Court dated 28-10-2014, in *Chander Bhan Singh v. CBI* and restore the case before the High Court. Further, we request the aforesaid Court to hear the matter on merits and pass an appropriate order thereafter without any further delay. If any party is aggrieved with the order passed by the High Court, we grant liberty to them to approach this Court again."

12. Though the complaint has been filed against the present petitioners, it appears that the grievance is primarily against the husband of R-2, i.e Mr. Puneet Kumar. It appears, prima-facie, that the allegations so raised by the complainant/ R-2 are omnibus in nature. The initiation of criminal proceedings under sections such as 489A, 405 and 406 of IPC has become a frequent practice in the matters

of matrimonial disputes and litigations.

13. The offence of misappropriation or conversion of stridhan under sections 406/34 of IPC is attracted when a person entrusted in any manner with the property or with any dominion over it, dishonestly uses or it, or disposes it, in violation of direction of law or of any legal contract between the parties, be it express or implied.

14. Delving into the facts of the case, there is no clear indication from the material brought forth regarding any entrustment of any property so done by the complainant/R-2. R-2 has alleged in her complaint that the petitioners sold the Audi Q-3 brought by R-2 at the time of her marriage and kept the money received from selling the same in their possession. This is refuted by Mr. Puneet Kumar stating that the selling of the car was done by R-2 on her own volition, and the amount of Rs. 28 lakhs was deposited in their joint account, which thereafter was transferred to her account. This may raise suspicion against Mr. Puneet Kumar but can not be coupled in any way against the in-laws. Reliance is placed upon 'Ms. Anu Gill vs State & Anr. (2001) SCC Online Del 599', wherein it has been held as under:

"....6. To constitute the offence under Section 406 IPC there must be clear and specific allegation that the accused was entrusted with some property or domain over it, by the complainant; that the accused has dishonestly misappropriated or converted the same to his own use or that accused refused to return back the articles when the same were demanded by the complainant. Perusal of the allegations appearing against the petitioner do not show that the articles of stridhan were even entrusted to her. In the absence of the allegation of entrustment, question of misappropriation or conversion to her use does not arise. Thus the most vital ingredient to constitute the offence under Section 406 IPC is missing. In view of the above, no case under Section 406 IPC is spelt out against the petitioner. ...

8. It has almost become a practice that whenever a police report is lodged consequent upon a matrimonial discord, there is always a tendency on the part of the complainant to involve practically all the relations of her in-laws' family either out of vengeance or to curl out appropriate settlement. Such a tendency ought to be deprecated."

(emphasis supplied)

15. Furthermore, it was noted in the chargesheet dated 02.04.2019 that R-2 refused to accept the articles so brought by Mr. Puneet Kumar/husband to the police station on the instructions of the Investigation Officer. This puts in question the bonafides of R-2. The court in Onkar Nath Mishra and Ors. v State (NCT of Delhi) and Anr. (2008) 2 SCC 561 held that such refusal of taking stridhan articles back, raises a presumption against any misappropriation of stridhan as alleged. It reads as under:-

"....18. In the present case, from a plain reading of the complaint filed by the complainant on 8-11-1994, extracted above, it is clear that the facts mentioned in the complaint, taken on their face value, do not make out a prima facie case against the appellants for having dishonestly misappropriated the stridhan of the complainant, allegedly handed over to them, thereby committing criminal breach of trust punishable under Section 406 IPC. It is manifestly clear from the afore extracted complaint as also the relevant portion of the charge-sheet that there is neither any allegation of entrustment of any kind of property by the complainant to the appellants nor its misappropriation by them. Furthermore, it is also noted in the charge-sheet itself that the complainant had refused to take articles back when this offer was made to her by the investigating officer. Therefore, in our opinion, the very prerequisite of entrustment of the property and its misappropriation by the appellants are lacking in the instant case. We have no hesitation in holding that the learned Additional Sessions Judge and the High Court erred in law in coming to the conclusion that a case for framing of charge under Section 406 IPC was made out."

(emphasis supplied)

16. For the purpose of attracting Section 498A of IPC, the conduct of the accused has to be such that he or she willfully drives a woman to commit suicide, or cause grave injury, (be it mental or physical). In the alternative, there has to be harassment to the woman with an intent to coerce her to meet unlawful demands, thereby committing cruelty.

17. R-2 in her complaint has made allegations against the petitioners that cash, gold-silver jewellery, utensils and clothes etc, given by the father of R-2 in marriage, is in possession of her husband, husband's parents and brothers. She further alleged that the petitioners demanded that she acquire an amount of about Rs. 50,00,000/- from the family of R-2 so as to purchase a flat. The allegations so raised are vague, unspecific and bald, lacking any particular details, including but not limited to date, place or time.

18. It appears that the complainant/R-2 has merely roped in the family of the husband. It has been brought to the court's attention that the brother-in-law of R-2, i.e Mr. Manoj Kumar, is not even residing alongwith the remaining petitioners. The court in several instances have expressed concerns over the increasing exercise of section 498A against the kin of the husband in matrimonial disputes. The object of 498A of IPC is to deter dowry deaths and harassment of women by the husband or his kin. The said provision should not be used as a device against the relatives without reason.

19. The Hon'ble Supreme Court in *Kahkashan Kausar alias Sonam and Ors. v. State of Bihar and Ors.*, (2022) 6 SCC 599 observed that the increasing tendency of employing section 498A IPC against the relatives of the husband and initiation of criminal proceedings through general and omnibus allegations is an exercise that must be discouraged. It perused various judgments on the said issue and

thereafter quashed the proceedings initiated against the family of the husband stating that allowing prosecution in the absence of any specific role attributed to the accused persons is unjust and an abuse of the process of law. It reads, inter-alia, as under:

11. Before we delve into greater detail on the nature and content of allegations made, it becomes pertinent to mention that incorporation of Section 498-AIPC was aimed at preventing cruelty committed upon a woman by her husband and her in-laws, by facilitating rapid State intervention. However, it is equally true, that in recent times, matrimonial litigation in the country has also increased significantly and there is a 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 Section 498-AIPC as instruments to settle personal scores against the husband and his relatives.

12. This Court in its judgment in *Rajesh Sharma v. State of U.P.* (2018) 10 SCC 472, has observed : (SCC pp. 478-79, para 14)

"14. Section 498-A was inserted in the statute with the laudable object of punishing cruelty at the hands of husband or his relatives against a wife particularly when such cruelty had potential to result in suicide or murder of a woman as mentioned in the Statement of Objects and Reasons of Act 46 of 1983. The expression "cruelty" in Section 498-A covers conduct which may drive the woman to commit suicide or cause grave injury (mental or physical) or danger to life or harassment with a view to coerce her to meet unlawful demand. [Explanation to Section 498-A.] It is a matter of serious concern that large number of cases continue to be filed under Section 498-A alleging harassment of married women. We have already referred to some of the statistics from the Crime Records Bureau. This Court had earlier noticed the fact that most of such complaints are filed in the heat of the moment over trivial issues. Many of such complaints are not bona fide. At the time of filing of the complaint, implications and consequences are not visualised. At times such complaints lead to uncalled for harassment not only to the accused but also to the complainant. Uncalled for arrest may ruin the chances of settlement."

13. Previously, in the landmark judgment of this Court in *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273, it was also observed : (SCC p. 276, para 4)

"4. There is a phenomenal increase in matrimonial disputes in recent years. The institution of marriage is greatly revered in this country. Section 498-AIPC was introduced with avowed object to combat the menace of harassment to a woman at the hands of her husband and his relatives. The fact that Section 498-AIPC is a cognizable and non-bailable offence has lent it a dubious place of pride amongst the provisions that are used as weapons rather than shield by disgruntled wives. The simplest way to harass is to get the husband and his relatives arrested under this provision. In quite a number of cases, bedridden

grandfathers and grandmothers of the husbands, their sisters living abroad for decades are arrested.”

14. Further in *Preeti Gupta v. State of Jharkhand*, (2010) 7 SCC 667, it has also been observed : (SCC pp. 676-77, paras 32-36)

“32. It is a matter of common experience that most of these complaints under Section 498-AIPC are filed in the heat of the moment over trivial issues without proper deliberations. We come across a large number of such complaints which are not even bona fide and are filed with oblique motive. At the same time, rapid increase in the number of genuine cases of dowry harassment is also a matter of serious concern.

33. The learned members of the Bar have enormous social responsibility and obligation to ensure that the social fibre of family life is not ruined or demolished. They must ensure that exaggerated versions of small incidents should not be reflected in the criminal complaints. Majority of the complaints are filed either on their advice or with their concurrence. The learned members of the Bar who belong to a noble profession must maintain its noble traditions and should treat every complaint under Section 498-A as a basic human problem and must make serious endeavour to help the parties in arriving at an amicable resolution of that human problem. They must discharge their duties to the best of their abilities to ensure that social fibre, peace and tranquillity of the society remains intact. The members of the Bar should also ensure that one complaint should not lead to multiple cases.

34. Unfortunately, at the time of filing of the complaint the implications and consequences are not properly visualised by the complainant that such complaint can lead to insurmountable harassment, agony and pain to the complainant, accused and his close relations.

35. The ultimate object of justice is to find out the truth and punish the guilty and protect the innocent. To find out the truth is a Herculean task in majority of these complaints. The tendency of implicating the husband and all his immediate relations is also not uncommon. At times, even after the conclusion of the criminal trial, it is difficult to ascertain the real truth. The courts have to be extremely careful and cautious in dealing with these complaints and must take pragmatic realities into consideration while dealing with matrimonial cases. The allegations of harassment of husband's close relations who had been living in different cities and never visited or rarely visited the place where the complainant resided would have an entirely different complexion. The allegations of the complaint are required to be scrutinised with great care and circumspection.

36. Experience reveals that long and protracted criminal trials lead to rancour, acrimony and bitterness in the relationship amongst the parties. It is also a matter of common knowledge that in cases filed by the complainant if the husband or the husband's relations had to remain in jail even for a few days, it

would ruin the chances of an amicable settlement altogether. The process of suffering is extremely long and painful.”

15. In *Geeta Mehrotra v. State of U.P.* 10 SCC 741:(2013) it was observed : (SCC p. 749, para 21)

“21. It would be relevant at this stage to take note of an apt observation of this Court recorded in *G.V. Rao v. L.H.V. Prasad* [*G.V. Rao v. L.H.V. Prasad*, (2000) 3 SCC 693 : 2000 SCC (Cri) 733] wherein also in a matrimonial dispute, this Court had held that the High Court should have quashed the complaint arising out of a matrimonial dispute wherein all family members had been roped into the matrimonial litigation which was quashed and set aside. Their Lordships observed therein with which we entirely agree that : (SCC p. 698, para 12)

‘12. ... There has been an outburst of matrimonial dispute in recent times. Marriage is a sacred ceremony, the main purpose of which is to enable the young couple to settle down in life and live peacefully. But little matrimonial skirmishes suddenly erupt which often assume serious proportions resulting in commission of heinous crimes in which elders of the family are also involved with the result that those who could have counselled and brought about rapprochement are rendered helpless on their being arrayed as accused in the criminal case. There are many other reasons which need not be mentioned here for not encouraging matrimonial litigation so that the parties may ponder over their defaults and terminate their disputes amicably by mutual agreement instead of fighting it out in a court of law where it takes years and years to conclude and in that process the parties lose their “young” days in chasing their cases in different courts.’

The view taken by the Judges in this matter was that the courts would not encourage such disputes.”

16. Recently, in *K. Subba Rao v. State of Telangana* (2018) 14 SCC 452 , it was also observed that:(SCC p. 454, para 6)

“6. ... The courts should be careful in proceeding against the distant relatives in crimes pertaining to matrimonial disputes and dowry deaths. The relatives of the husband should not be roped in on the basis of omnibus allegations unless specific instances of their involvement in the crime are made out.”

17. The abovementioned decisions clearly demonstrate that this Court has at numerous instances expressed concern over the misuse of Section 498-AIPC and the increased tendency of implicating relatives of the husband in matrimonial disputes, without analysing the long-term ramifications of a trial on the complainant as well as the accused. It is further manifest from the said judgments that false implication by way of general omnibus allegations made in the course of matrimonial dispute, if left unchecked would result in misuse of the process of law. Therefore, this Court by way of its judgments has warned the courts from proceeding against the relatives and in-laws of the husband when no prima facie case is made out against them.”

20. Therefore, upon consideration of relevant facts and circumstances of the matter, I am of the view that the allegations raised against Mr. Komal Singh/father-in-law (P-2 in Crl.Rev 49/2023), Mrs. Santosh Devi/mother-in-law (P-2 in Crl.Rev 48/2023), and Mr. Manoj Kumar/elder brother-in-law (P-1 in Crl.Rev 48/2023) are of general and omnibus nature and no specific allegations, except for bald averments are made out against them. The allegations so raised are as under:-

"...Out of which cash, gold and silver jewellery, utensils, clothes etc are in the possession of my husband and his parents and brothers...

...

..The proof of this is that by troubling me, they sold the Audi Q-3 car given in my marriage for Rs 28 lakh and told me that I will make an FD of this money in your name, but neither the FD was made nor I received this money till date. When I came to know then upon asking my husband does fight and quarrel with me....

....

...Then I told my father-in-law that I have not left the job on my own free will. Your son has forced me to leave the job, so he said that you should bring Rs.10 lakh in cash from your father, otherwise you will not be able to live in this house...

....

...That my mother-in-law and father-in-law harass me in various ways, sometimes when I go somewhere, then they harass me for my behavior and wearing clothes and my husband also keeps joining them and keeps on fighting every day..."

21. The aforementioned allegations raised are shorn of details, lack material particulars and are of general nature. Upon sifting and weighing the material on record, I am unable to uphold the charges framed against Mr. Komal Singh, Mrs. Santosh Devi and Mr. Manoj Kumar as no specific case is made out against them.

22. As regards Mr. Puneet Kumar, there are specific allegations raised against him including the alleged misappropriation of amounts received from selling of the car. The allegations so raised against him are as under:-

"...At the time of marriage, I also used to work, but my husband forced me to leave my job and my husband had quarrelled a lot with me on this issue...

...

"That all of them harassed me a lot, tortured me in many ways, their aim was to demand money, they wanted to buy a flat, after getting fed up, I withdrew Rs.16 lakh from my account, my father gave Rs. 16 lakh and he took a loan of Rs. 10 lakh, my sister gave Rs.4.50 lakhs on interest, they gave all this and bought a flat in Indrapuram, Ghaziabad, U.P., but there also my husband started beating me, which I complained to the Indrapuram police station, he used to pressurize

me to sell the flat in Indrapuram and give money -- so that he can buy flat in South Delhi."

....

That my husband Puneet always tortures, and beating, abusing, throwing me out of the house has become his daily habit from the beginning. Even when I was living with my husband in Kanpur, Uttar Pradesh, he had beaten me many times, the witness of this is the landlord of Kanpur where we used to live and my maid, who is still in contact with me.

....

...Then he started saying that if I sell the Indrapuram flat then I will keep you with me, otherwise not. On the request of myself and my father-in-law, I gave a cheque of Rs.70,000 twice and once my husband transferred Rs.7,000 online to his father's account...."

23. Therefore, prima-facie allegations are made out against Mr. Puneet Kumar.

24. The Hon'ble Supreme Court in Pradeep Kumar v The State of Chattisgarh 2023 5 SCC 350 reiterated that when two views are possible, one pointing to the guilt of the accused and one towards the innocence of the accused, the one favouring the accused should be followed. It reads as under:

"...27. It is important to note that the cardinal principles in the administration of criminal justice in cases where heavy reliance is placed on circumstantial evidence, is that where two views are possible, one pointing to the guilt of the accused and the other towards his innocence, the one which is favourable to the accused must be adopted. [Kali Ram v. State of H.P., (1973) 2 SCC 808]

25. In this view, charges framed against P-2 in Crl.Rev 49/2023, P-1 in Crl.Rev 48/2023 and P-2 in Crl.Rev 48/2023, u/s 498A/406/34 of IPC are hereby quashed and set aside.

26. The court finds no reason to interfere with the charges framed against P-1 in Crl.Rev 49/2023, u/s 498A/406/34 of IPC.

27. In these circumstances, Crl.Rev 48/2023 is allowed and Crl.Rev 49/2023 is allowed to the extent that the charges framed against P-2 are quashed, hereby.

28. The revision petitions, along with pending applications, stand disposed of in terms of the above.