



\$~81

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4734/2026**

VIKRAM KUMAR JHA @ ARYAN

ADVIK & ANR.

.....Petitioners

Through: Mr. Rishi Malhotra, Senior Advocate  
with Ms. Ansuiya and Mr. Shivaansh  
Maini, Advocates

versus

STATE (GOVT OF NCT OF DELHI) & ANR. ....Respondents

Through: Mr. Hemant Mehla, APP for the State  
with W/SI Meetu Yadav

**CORAM:**

**HON'BLE MR. JUSTICE GIRISH KATHPALIA**

**ORDER**

%

**10.07.2026**

**CRL.M.A. 19861/2026 (exemption)**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 4734/2026 & CRL.M.A. 19862/2026 (for lengthy synopsis and list of dates)**

2. Petitioners seek quashing of case FIR No. 239/2024 of PS Sangam Vihar for offence under Section 498A/406/376/354A/506/509/34 IPC on merits.

3. It is contended by learned Senior Counsel for petitioners that the impugned FIR is a complete abuse of process insofar as serious allegations of sexual misconduct have been levelled against petitioners no. 1 and 2, who are brothers-in-law of the complainant *de facto*. It is further submitted that marriage between the complainant *de facto* and brother of petitioner no. 1 took place on 08.07.2016, after which they were blessed with two children. On 18.09.2023, brother of petitioner no. 1 filed divorce case against complainant *de facto*, so out of vengeance she lodged this police complaint



on 15.04.2024. It is submitted that in the impugned FIR, the complainant *de facto* did not make any allegation of rape, but it is subsequently in her statement under Section 164 CrPC for the first time on 15.06.2024 that she alleged having been raped in the year 2017. It is submitted by learned Senior Counsel that there is no whiff of explanation as to why the complainant *de facto* remained silent for so long.

4. I also find substance in the submission of learned Senior Counsel for petitioners that in the recent past, ever since the Supreme Court delivered the judgment in the case of ***Arnesh Kumar vs State of Bihar & Anr.***, (2014) 8 SCC 273, which narrowed down the abuse of provisions under Section 498A/406 IPC as regards arrest, a trend is setting in where the complainants have started alleging such serious charges of rape, molestation and similar other sexual misconduct only to ensure that the in-laws of the complainant are compelled to settle the matrimonial disputes by paying hefty amounts.

5. It is submitted by learned Senior Counsel that husband of the complainant *de facto* and his remaining relatives have filed a separate petition, which is listed today itself as Crl. M.C. 4742/2026.

6. Learned APP for the State assisted by IO/SI Meetu Yadav accepts notice and seeks and is allowed to file status report at least one week before the next date.

7. In the meanwhile, notice be also issued to the complainant *de facto* (*respondent no. 2*) through IO, returnable on 17.11.2026 in Advance List.

8. Till next date, proceedings before the trial court shall remain stayed.

**GIRISH KATHPALIA, J**

**JULY 10, 2026**

‘rs’