

21.05.2026

Fresh criminal appeal received by way of assignment. It be checked and registered.

Present: Sh. Sandeep Kumar and Sh. Antriksh Bhaskar, Ld.
Counsels for appellants.

Present appeal is filed u/s 29 of PWDV Act, 2005 against impugned order dated 21.01.2026 passed by Ld. JMFC (Mahila Court)-06, Dwarka Courts in MC No. 677/2025 titled as Raj Kumari @ Taniya v. Late Navin Kumar & Ors., whereby appellants were summoned.

Ld. Counsel for appellants submitted that complainant (respondent herein) is convicted u/s 306 IPC and sentenced with rigorous imprisonment for 5 years and fine of Rs. 10,000/- for abetment of suicide vide order dated 23.09.2023 passed by Ld. ASJ, Kotdwar, Paudi Garhwal.

However, she got bail after 18 months and filed petition u/s 12 of PWDV Act wherein, vide order dated 21.01.2026 summons were issued to respondents no. 2 & 5 (appellant no. 1 & 3 herein). It is further submitted that in said order, Ld. Trial Court categorically held that there is no domestic relationship made out qua respondents no. 4 & 6 (appellant no. 2 & 4 herein) and summon were not issued.

But despite said order, respondents no. 4 & 6 received summoned and on appearance on 06.04.2026 were directed to file income affidavit on 06.04.2026. It is further submitted that respondents no. 2 & 5 have not received any summons yet.

It is further submitted that husband of complainant died by suicide on 03.04.2019 and very next day, complainant left for her parental house and since then, appellant has no connection with her. It is further submitted that order dated 21.01.2026 r/w order dated 06.04.2026 need to be set aside being perverse. Lastly, it is submitted that entire Trial Court proceedings may be stayed as continuation of same is highly prejudice to the appellants.

Submissions heard.

This Court carefully gone through the record. Facts of this case need detail consideration w.r.t. DIR and other detail given in petition. **In view thereof, proceedings before Ld. Trial Court stands stayed till NDOH.**

Issue notice to respondents on filing of PF/RC for NDOH.

Put up for further proceedings/arguments on **12.08.2026.**

TCR be called 2 days prior to NDOH.

Copy of this order be sent to Ld. Trial Court for information.

(Shilpi M Jain)
ASJ-06 (South-West)
Dwarka Courts/21.05.2026 (sk)