



**IN THE COURT OF ADDL. SESSIONS JUDGE/
SPECIAL JUDGE (NDPS ACT)
COURT NO.-III, PILIBHIT**

Present : Vijay Kumar Himanshu, J.O. Code-UP2752

Himanshi Raj vs State of UP & Ors.

Criminal Revision No.-31/2026

1. A revision application vide no. 31/2026 has been filed against the order of Ld. CJM dated 27.01.2026 in the matter of Himanshi Raj Vs State of UP & Ors. The Revisionist/aggrieved against the Ld. Lower Court in which the Ld. Court has rejected the application u/s 173(4) of BNSS. Hence the present revision has been filed before this Court.

2. The brief prosecution story is the revisionist/applicant Himanshi Raj has married to Opposite Party no. 2 (Sumit Kumar) on 01.12.2021. After 4.03.2022 barely three months after the marriage she started living at her maternal home. The allegation is that the Opposite Party no. 2 has submitted the bank account detail and transaction of the revisionist/applicant before the Principle Judge Family Court, Pilibhit in the pending matter vide no. 290/2023 (Himanshi Raj Vs Sumit Kumar) u/s 125 of CrPC. The applicant husband has filed an application dated 23.09.2024 in which the four bank detail of the revisionist was given- Bank of Baroda, Vikas Bhavan Pilibhit Account no. 98440300025161, opening date 26.07.2022; Account no. 98440300025185, opening date 31.07.2022; Account no. 98440300026149, opening date 30.11.2022; Account no. 98440300028617, opening date 11.09.2023. In this regard she had filed a complaint to the Branch Manager, Vikas Bhavan, Bank of Baroda, Pilibhit on 04.10.2024. The revisionist alleges that the Opposite Party no. 2 is unauthorisely taking all secret information belonging to revisionist without her consent and some unknown is following her. Therefore, she has brought an application for registering a criminal complaint u/s 173(4) of BNSS. The Ld. CJM however found that the submission of account detail before Ld. Principle Judge does not fall under the category of cognizable offence and since the Revisionisit and Opposite Party no. 2 are husband and wife therefore the matter appears to be purely civil in nature involving matremonial issues. Hence the application was rejected.

3. The Ld. Counsel for the Revisionist submits that the marriage between Revisionist and Opposite No. 2 was solemnized on 01.12.2021 and barely after three months both the parties are living separately. Ld. Counsel submits that several cases are pending in the Court of District Court, Bareilly and Pilibhit and the Opposite Party no. 2 is doing

surveillance about the movement of the revisionist through unknown person and always keeps watch on her movement. The Ld. Counsel also submits that all the confidential information of the revisionist is procured by the Opposite Party no. 2 and without the consent of the revisionist/applicant. Therefore, the offence stalking u/s 354 of IPC is made out.

4. The Ld. Counsel for the Opposite Party submits that impugned order of Ld. CJM is well reasoned, legal and justified wherein it was held that mere production of bank account details does not disclose commission of any cognizable offence warranting registration of FIR. The Ld. Counsel therefore submits that the entire complaint is based on surmises and conjectures. The Ld. Counsel submits that the Revisionist and her family has filed several false cases against the Opposite Party no. 2 and his family. The first case predates on 07.08.2022, second on 21.09.2022. Both of them turned out to be false. The Revisionist filed complaint under Domestic Violence Act on 29.11.2022. And Second complaint on 08.01.2023. Finally the divorce petition was filed by the Opposite Party no. 2 before the Family Court Bareilly on 20.01.2023 u/s 13(1) (ia) and (ib). Shortly after filing of divorce petition and serving of the notice on the revisionist, the later filed a false criminal case vide FIR no. 0035 on 22.02.2023 u/s 498A, 354,323,504 of IPC and 3/4 of DP Act at PS Kotwali, Pilibhit. The petitioner also filed her domestic violence complaint on 11.04.2023 and finally on 02.12.2023 Hon'ble Allahabad High Court was pleased to stay the criminal proceedings against the Opposite Party no. 2. The Ld. Counsel further submits that the Revisionist was unrelenting and filed another domestic violence complaint on 14.05.2024. The Ld. Counsel submits that the Revisionist through multiple cases both criminal and civil trying to falsely implicate the Opposite Party no. 2 and in the instant matter no case worth for registering an FIR is made out. Hence, it is prayed that revision should be outrightly rejected.

4. I have heard the submission of both the Ld. Counsels and perused the material on record. The fact that Revisionist and Opposite Party no. 2 marriage was solemnized on 01.12.2021 and barely after three months both of them started living separately. The revisionist and Opposite Party no. 2 are husband and wife and the cases of marital discord has turned into court cases which involves harassment case, domestic violence case and civil case in form of divorce petition. The allegation in this case is that the Opposite Party no. 2 has submitted the Bank account detail and transactions of the Revisionist/Applicant before the Principle Judge Family Court in the maintenance proceedings u/s 125 without the consent of the Revisionist/Applicant. The another allegation is that surveillance has been made against the movement of the Revisionist/Applicant without specifying the identity of person who is following her. The Court finds that the findings of Ld. CJM that submission of Bank Account detail before Principal Judge, Family Court in matrimonial proceedings is not an offence and grievance if any should be agitated before the Family Court and as such no offence has been committed much less than the cognizable offence. This Court agrees with the reasoning of Ld. CJM that no cognizable offence has been made

so that FIR may be registered u/s 173(4) of BNSS. Therefore, this Court does not find any impropriety, irregularity and illegality in the order of Ld. CJM dated 27.01.2026. Hence the Revision is devoid of merit and is liable to be rejected.

Order

The Revision Application vide no.31.2026 (Himanshi Raj Vs State of UP & Ors) is hereby dismissed as devoid of merit and the file be ramanded back to Ld. CJM for further proceedings.

Dated: 05.08.2026

(Vijay Kumar Himanshu)
Additional Sessions Judge/
Special Judge (NDPS Act)
Court No.-III, Pilibhit.

This judgment is signed, dated and pronounced by me, in the open
Court today.

Dated: 05.08.2026

(Vijay Kumar Himanshu)
Additional Sessions Judge/
Special Judge (NDPS Act)
Court No.-III, Pilibhit.