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

Present : Vijay Kumar Himanshu, J.O. Code-UP2752
Criminal Revision No.-74/2024

1. Lakshmi Devi, Aged about 46 years w/o- late Pramod Kumar, R/o- Village Mudiya, P.S-Katara, District-Pilibhit.

.....Revisionist

Vs.

1. Arun Kumar, Aged about 22 years s/o Rajkumar
2. Rajkumar, Aged about 47 years s/o Rajaram
Both R/o Tikri Mafi, P.S Bisalpur, District Pilibhit.
3. State of UP, through District Magistrate, Pilibhit.

.....Opp.Parties

JUDGMENT

1. A revision application has been filed in the matter of Lakshi Devi vs Arun Kumar & Ors. agaisnt the order of Ld. ACJM order dated 10.04.2024 in which the applicant is aggrieved by the dismissal of the application u/s 156(3) of the CrPC.

2. The brief facts of the case is that in 2021 the applicant's daughter Manya Gangwar has visited her grandmother house (Nanihal) where Arun Kumar s/o Rajkumar has alleged to have enticed her in the lover affair with a promise to marry, at that time the applicant's daughter was minor of age 17 years. The opposite party on 12.01.2023 called revisionist's daughter at his home on pretext of marriage and committed sexual assault against her will. The father of the prosecutrix filed a complaint at P.S Bisalpur in case crime no. 253/2023, u/s 376, 504, 506 IPC and 3/4 POCSO Act. In which the accused/opposite party was sent to jail. Therefore, it has been alleged that the father of the accused and other persons has persuaded prosecutrix to withdraw the case and enter into a compromise with the assurance that they will marry his son with revisionist's daughter. After the matter was decided on March, 2023 in which Arun Kumar was released from jail but after the release they fail to keep their promise to marry the applicant's daughter and on 24.02.2024 when

the prosecutrix father and other persons reached the opposite party for getting his daughter married they demanded Rs. 8 lakhs as a pre-condition for marrying and tried to harass the prosecutrix and threatened the family of dire consequences.

3. The Ld. counsel for the revisionist submits that the fact is that after sexual assault to the revisionist's daughter a criminal case was filed against the opposite party and a compromise was entered on the condition that after release the prosecutrix and opposite party would get married. The opposite party, however, was extending the date on one pretext or other and ultimately demanded Rs. 8 Lakhs as a pre-condition for marrying his daughter. Ld. counsel for the revisionist submits that after the release of the accused his daughter was sexually abused and harassed and threatened the family of dire consequences and the opposite party failed to keep the promise of marrying

4. The Ld. Counsel for the opposite party, however, submits that the allegation of sexual abuse was frivolous and concocted and after a case was filed against him, a compromise was entered between the prosecutrix and the opposite party in which 2 Lakh rupees was given to the prosecutrix. The Ld. Counsel further submits that the opposite party got married to another girl named Akansha d/o Naresh Kumar on 01.03.2024 and the claim of the revisionist that they went to the house of opposite party on 24.02.2024 for persuading opposite party's father for keeping the promise of marrying his daughter which form the basis of compromise. Ld. counsel submits that in order to disturb the peaceful married life of the opposite party and also to blackmail by extorting money from the opposite party this false and concocted case has been brought. Therefore, the opposite party prays for rejection of the revision application.

5. I have heard the submission of both the Ld. Counsel and perused the material on record. It is an admitted position that that a criminal case for sexual abuse by the opposite party against the revisionist's daughter in a case crime no. 253/2022, u/s 376, 504, 506 of IPC and 3/4 of POCSO Act was registered. The same case has entered into a compromise whereby 2 lakh rupees has been given to the prosecutrix family. So far as the allegation that the prosecutrix agreed to enter into a compromise on the fact that the opposite party has promised to marry his son with the prosecutrix appears to be contrary to facts on the record. The fact that there have been promise to marry, then question of exchange of money of Rs. 2 lakh for entering into in

compromise shall not arise. So far as the date alleged by the revisionist that on 24.02.2024 they went to opposite party's home for persuading them to keep their promise of marriage with the prosecutrix appears to be an attempt to seek more money as the opposite party was married to another girl on 01.03.2024. Therefore, the revisionist act of 24.02.2024 for going at the home of opposite party for persuading their father for marrying prosecutrix daughter appears to be an afterthought and the demand of Rs. 8 lakh appears to be frivolous. Therefore, the Ld. lower Court reasoning that in a case crime no. 253/2023 dated 10.05.2022 has ended into compromise after paying the prosecutrix Rs. 2 lakh and the claim of the revisionist that the compromise was entered between revisionist and opposite party based upon assurance that the accused will marry prosecutrix is contrary to the material on record. The fact that the accused was married to another girl much before the alleged dated of 24.02.2024 and same has been relied by Ld. lower Court. This Court therefore is of opinion that subsequent claim of the revisionist appears to be an afterthought with intent to extort money from the opposite party. The Ld. lower Court has not committed any irregularity, impropriety and illegality in rejecting the application u/s 156(3) of CrPC based on the fact that the compromise between the prosecutrix and accused in a criminal case was based on money and the accused has already married to another girl. Therefore, the claim of the revisionist appears to be frivolous and hence the revision is devoid of merit and is liable to be rejected.

Order

The Revision Application vide no. 74/2024 (Lakshmi Devi vs Arun Kumar & Ors.) is hereby dismissed and the office is directed that the file may be consigned to the record room.

Dated: 17.06.2026

(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: 17.06.2026

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