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

% ***Date of Decision: 16th January, 2026***

+ **CRL.M.C. 5394/2023 & CRL.M.A. 20449/2023**

JYOTI VALLABH

.....Petitioner

Through: Mr. I.C. Mishra, Dr. Balmiki Prasad
and Mr. Rishav Raj, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for
the State with SI Akshay, PS V.K.
North.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner was, initially, charged under Section 354/354D/451/506 IPC *vide* order dated 18.07.2022 passed by the learned MM (Mahila Court).
2. Such order was assailed by the petitioner by filing a Revision Petition before the Court of Sessions.
3. The abovesaid petition was, though, partly allowed as the learned Revisional Court came to the conclusion that there was *prima facie* commission of offences under Section 354D/506 IPC only, it imposed cost of Rs.3,000/- upon the revisionist for making irrelevant submissions and unwarranted wastage of time. Simultaneously, though there was no cross-petition or prayer for addition of any other charge, while disposing of the abovesaid petition filed by the accused, learned Revisional Court also directed charge to be also framed under Section 419 of IPC.
4. Such order passed by the learned Revisional Court is under challenge.
5. According to learned counsel for the petitioner, the revisionist was,



merely, pursuing his legal remedies and even if any submission was not found relevant, the learned Trial Court should not have burdened him with any cost, particularly when it was, eventually, allowed in part. It is argued that cost had been imposed on mere annoyance. He also submits that direction to frame charge under Section 419 IPC was superfluous as neither there was any prayer in this regard nor any material allegation, disclosing revelation of any such offence. Learned counsel for the petitioner submits that offence under Section 506 IPC was also not made out as the alleged criminal intimidation was not of such a nature as would have caused any alarm in the mind of the complainant. He also argues that since the parties were in relationship and were meeting frequently, there was no question of any outraging of modesty or of impersonation by concealment of gender.

6. Learned APP for the State, however, contends that once such relationship was severed by the complainant, accused should have shown restraint and should have respected her wish, whereas he rather threatened her and used criminal force to outrage her modesty.

7. When the present petition was taken up by this Court on 03.08.2023, this Court directed the learned Trial Court not to proceed further with the directions in respect of Section 419 IPC, and such order continues to be in operation. It is apprised that trial is going on for offences under Sections 354D/506 IPC and even the complainant has also been examined in part.

8. Since the trial is already mid-way, it will not be appropriate to derail the same by asking the court to re-frame the charges and embark on *de novo* trial.

9. After hearing arguments and considering the material on record, the present petition is disposed of with the direction that the cost of Rs.3,000/-,



as imposed upon the revisionist, is hereby waived. Learned Trial Court shall continue to proceed with the trial in relation to offences under Sections 354D/506 IPC. However, if during trial, learned Trial Court finds any ground to invoke its powers under Section 239 BNSS 2023, it will be at liberty to resort to the same and pass appropriate order, after giving due opportunity of hearing to all concerned.

10. The petition stands disposed of in aforesaid terms.
11. All rights and contentions of petitioner are, however, left open.
12. Pending application also stands disposed of.
13. A copy of this Order be sent to the learned Trial Court for information.

(MANOJ JAIN)
JUDGE

JANUARY 16, 2026
st/sa