



2025:DHC:8166



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Judgment delivered on: 16.09.2025*+ **CRL.M.C. 1162/2019****SHASHI BALA**

.....Petitioner

Through: Mr. Aditya Aggarwal,  
Advocate with Ms. Pooja  
Roy and Ms. Shivani Sharma,  
Advocates.

versus

**STATE GOVT. OF NCT OF DELHI & ORS. ....Respondents**

Through: Mr. Naresh Kumar Chahar,  
APP for State with Ms. Puja  
Mann, Mr. Chanderkant,  
Advocates along with SI Mohit  
Singh, P.S. Moti Nagar  
Ms. Kajal, Advocate for R-2 to  
R-4

**CORAM:****HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J**

1. By way of this petition, the petitioner assails the order dated 23.01.2017 passed by the learned Metropolitan Magistrate, Tis Hazari Courts, Delhi [hereafter '*Magistrate*'] in case arising out of FIR bearing No. 259/2013, registered for commission of offence under Section 509 of the Indian Penal Code, 1860 [hereafter '*IPC*'] at



Police Station Moti Nagar, Delhi, *vide* which respondent nos. 2 to 4 were discharged. The petitioner also assails the order dated 01.11.2018, passed by the learned Additional Sessions Judge-03, West, Tis Hazari Courts, Delhi [hereafter '*Sessions Court*'] which upheld the order of the learned Magistrate.

2. Briefly stated, the facts of the case, as per FIR, are that on 05.07.2013, when the complainant, who was Vice-Principal of one school 'S', located in Delhi, had reached the school at about 7:50 AM to mark her attendance, she had found that her attendance record for the period from 01.07.2013 to 04.07.2013 had been mutilated with red ink. She had thereafter approached the office of the Principal, where she had found respondent nos. 2 to 4 along with the Principal, Mr. K.P.S. Malik, to be present. During the course of her interaction with the Principal, he had allegedly used abusive language, passed obscene remarks, and attempted to assault her. Respondent no. 2, Mr. Hari Kishan, had also allegedly made shameful gestures and obscene remarks, whereas respondent no. 3, Mr. Anand Kumar, had abused her in indecent language and laughed with an eye wink when confronted. At that time, respondent no. 4 i.e. Mr. Rajinder Kumar, PGT (History), had also joined in and allegedly tried to overpower her, due to which the complainant had felt humiliated, distressed, and apprehensive of further harm, and had called the police by dialing 100 number. The complainant had further alleged that despite her repeated complaints to the Manager of the school, no action had been taken against the Principal, who was being given protection. She also



alleged that no Women's Grievance Committee had been constituted in the school in violation of directions of the Hon'ble Supreme Court. On the basis of her complaint made to the SHO, Police Station Moti Nagar, on 21.07.2013, the present FIR bearing came to be registered for commission of offence under Section 509 of the IPC.

3. The statement of the complainant was recorded under Section 164 of the Code of Criminal Procedure, 1973 [hereafter '*Cr.P.C*'] on 23.07.2013. After completion of investigation, chargesheet was filed before the learned Magistrate. After hearing arguments on charge, the learned Magistrate was pleased to frame charge only against accused no. 1 i.e. Mr. K.P.S. Malik, while discharge respondent nos. 2 to 4. The relevant observations of the learned Magistrate are as under:

“5. Arguments adduced on behalf of both the parties have been heard. In the present case FIR was registered 16 days after the incident, further complainant despite being an educated person working as vice-principal in a school did not make a formal complaint alleging incident of outraging modesty for 16 days i.e. till 21.07.2013 while the alleged incident was dated 05.07.2013. It is to be noted that complainant had given a written complaint on 05.07.2013, wherein she did not even mention presence of accused Hari Kishan, Anand Kumar and Rajender Kumar at the spot, further even in her elaborate complaint dated 05.07.2013 made to manager of the school, she did not talk about presence of accused Hari Kishan, Anand Kumar and Rajender Kumar at the spot of incident or the fact if they had abused her. Though, she made complaint about some previous misbehavior or negligent attitude of these persons in discharge of their duties. It is also to be noted that the police officials, who reached the spot on 05.07.2013 itself i.e. ASI Ram Raj Meena has reported on his return to the police station in DD no.70B that no such incident had taken place. Even in her police complaint made on the next date i.e. 06.07.2013 as well as the complaint dated 21.07.2013 complainant did not tell the exact words being uttered by the accused persons to



facilitate this Court to form an opinion that the same amounting to outraging modesty of a woman. Hon'ble High Court of Delhi in case titled as ***Prashant Bhaskar Vs. State 2014 (1) JCC 750*** held that a gap of three months between incident and recording of statement renders same suspicion and unsafe for reliance. It was also observed that delay in lodging the complaint with the police would by itself cause grave suspicion on the case of the prosecution. In case titled as ***Yogesh @Sachin Jagidsh Joshi Vs. State of Maharashtra (2009) 1 SCC CrI 51***, it was observed by Hon'ble Supreme Court of India that if two views are equally possible and the judge is satisfied that the evidence produced before him gives rise to the suspicion only as distinguished from grave suspicion, he will be fully within his rights to discharge the accused. Further, in ***Sunil Bansal Vs. State of Delhi 2007 (2) JCC 1415***, Hon'ble High Court of Delhi observed that keeping in mind the existence of two contradictory statement a charge cannot be framed based there on. In ***Dilawar Babu Kurane Vs. State of Maharashtra 2002 SCC CrI. 310*** it was held by Hon'ble Supreme Court of India that if two versions or inferences can be reasonably drawn the version favouring the accused has to be accepted so long as it is a reasonable one.

6. In the light of above stated facts and principles the undersigned is going to analyze the allegations to see if ingredients of the offence U/s 509 IPC are fulfilled or not.

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11. Now coming to the facts of the present case, there appears two views regarding presence of accused Hari Kishan, Anand Kumar and Rajender Kumar at the spot of incident as in the very first complaint made by the complainant, she did not even mention if these persons were in fact present at the spot of incident or if they had abused or stated anything to the complainant. Furthermore, on the very same day an elaborate complaint was made by the complainant to manager of the school, which was containing facts of the alleged misbehavior by accused K.P.S. Malik on 05.07.2013, however, even in that complaint she did not mention about presence of accused Hari Kishan, Anand Kumar and Rajender Kumar on the spot or any obscene act or gesture or comment made by them which would amount to outraging modesty of a woman. Though, she mentioned about previous incidents of misbehavior and indiscipline on the part of accused Hari Kishan, Anand Kumar



and Rajender Kumar, which clarifies that she was well within her senses at the time of wanting this complaint despite that she chooses to keep mum on the part of act done by accused Hari Kishan, Anand Kumar and Rajender Kumar. Furthermore, apart from complainant prosecution had not cited any other witness of the alleged incident. In these circumstances, two views are equally possible i.e. either accused Hari Kishan, Anand Kumar and Rajender Kumar were indeed present at the spot and uttered some words or did some act amounting to outraging modesty of a woman i.e. the complainant or the second view i.e. due to groupism and personal, enmity between complainant and the accused persons the complainant has falsely implicated accused Hari Kishan, Anand Kumar and Rajender Kumar in the present case. Furthermore, even in her complaints dated 05.07.2013, 06.07.2013, the complainant did not specify the words being uttered by accused Hari Kishan, Anand Kumar and Rajender Kumar, the complainant made only a general statement that accused persons abused her. Apparently, the complaints were not specific. There are apparent contradictions and improvements in the initial complaints made by the complainant to her later complaints and statement made U/s 164 Cr.P.C. It is the mandate of Hon'ble Supreme Court of India that if two views are equally possible and the evidence produced before the Court gives rise to the suspicion only as distinguished from grave suspicion, the Court will be within its rights to discharge the accused. In view of these circumstances the undersigned is of the considered view that there is no prima. facie evidence on record to frame charges against accused Hari Kishan, Anand Kumar and Rajender Kumar for commission of any offence whatsoever.

12. From the very first day of incident i.e. 05.07.2013 complainant in all her complaints alleging that accused K.P.S Malik shown her a slap and also abused her. Though in her complaint dated 05.07.2013, 06.07.2013 or 21.07.2013, she did not mention the exact precise words being uttered by accused K.P.S Malik, however, in her statement U/s 164 Cr.P.C, she categorally stated that he abused her and called her "*bhutni ki dayan and bhen ki.....*". Thus from the very first day of the incident complainant is talking about presence of accused K.P.S. Malik in his office, she is constantly saying that he abused her and in her statement U/s 164 Cr.P.C, she specified the exact words being uttered by the accused which are perse amount to outrage modesty of a woman. Further, complainant



is constantly saying that accused K.P.S. Malik shown slap to her due to which she got afraid that she might be slapped by accused K.P.S. Malik. In these circumstances, there is sufficient evidence on record to frame charges against accused K.P.S. Malik for commission of offence U/s 509 IPC as well as for commission of offence of assault punishable U/s 352 IPC.

13, Thus, accused Hari Kishan, Anand Kumar and Rajender Kumar stands discharged from the present case. Their bail bonds cancelled. Sureties discharged.

14. Put up the matter for framing charges for commission of offence punishable U/s 352 and 509 IPC against accused Kaushal Pal Singh on 10.02.2017.”

4. This order was assailed before the learned Sessions Court by the petitioner, however, the same was upheld *vide* the impugned order dated 01.11.2018, wherein it was observed as under:

“16. The Ld. Trial court has observed that the complainant has made the written complaint on 05.07.2013 wherein she did not mention the presence of the accused Hari Kishan, Anand Kumar and Rajinder Kumar at the spot. It is also observed that in her elaborate complaint dated 05.07.2013 made to the manager of the school, she did not talk about the presence of these accused persons at the spot. Even though, she had complained about some previous mis-behaviour of these accused persons. It is also observed that the police officials who reached at the spot on 05.07.2013 vide DD No. 17B has reported that no such incident has taken place.

17. The complainant in her written complaint dated 06.07.2013 and 21.07.2013 did not disclose the alleged exact word being uttered by the accused persons. The Ld. Trial court after considering the contentions and the case laws, formed the opinion that there appears two view possible regarding presence of the accused persons namely Hari Kishan, Anand Kumar and Rajinder Kumar at the spot of the incident. The observation made by the Ld. Trial Court is in consonance with the material collected by the prosecution during the investigation. The Ld. Trial court has made these observations based upon the material on record.



18. The Ld. Trial court has further considered that in her complaint to the manager of the school, complainant had mentioned regarding the past mis-behaviour of the accused persons which clarifies that she was well within her sense at the time of writing these complaints but she did not disclose the act or part of these accused persons. The Ld. Trial court has taken note of the steady improvements in the initial complaint, later complaint and the statement recorded under Section 164 Cr.PC. The Ld. Trial court while passing the impugned order has considered the judgment **Yogesh @ Sachin Jagdish Joshi** (Supra) that if two views are equally possible and the judge is satisfied what the evidence produced before him gives rise to the suspicion only as distinguished from grave suspicion, he will be fully within his rights to discharge the accused.

19. It is clear from the perusal of the record that the Ld. Trial court has passed the impugned order in consonance with provisions of law and in the light of the judgment of Hon'ble Supreme Court. The Ld. Trial court has not exceeded its jurisdiction while appreciating the material placed on record by the prosecution with the charge-sheet under Section 173 Cr.PC. The court cannot act as a mouth piece of the prosecution at the stage of framing of the charge. It is the mandatory duty of the Ld. Trial court to apply its judicial mind to arrive at a conclusion regarding framing of the charge. The contentions raised by the State and Ld. Counsel for the complainant are not sustainable in the eyes of law. There is no illegality or infirmity in the impugned order passed by the Ld. Trial Court.

20. In view of the above discussions, I have no hesitation to hold that there is no illegality or infirmity in the order dated 23.01.2017 regarding the discharge of accused persons namely Hari Kishan, Anand Kumar and Rajinder Kumar. Accordingly, the present revision petitions against the order dated 23.01.2017 are dismissed.”

5. The learned counsel appearing for the petitioner argues that the petitioner had made specific allegations against respondent nos. 2 to 4 in her complaint dated 21.07.2013, on the basis of which the FIR had been registered. It is contended that the learned Magistrate and the Sessions Court did not appreciate the statements of the witnesses



and that the complaint filed by the petitioner was sufficient to frame charges against respondent nos. 2 to 4 for offence under Section 509 of the IPC. It is also stated that the contradictions in the charge-sheet cannot be a ground for discharge of the accused persons. The learned counsel also argues that the veracity of the statements of the witnesses cannot be tested at the time of framing of charges. He therefore prays that the impugned orders be set aside, and charges be framed against the respondent nos. 2 to 4.

6. The learned APP for the State also argues that a *prima facie* case for commission of offence under Section 509 of IPC is made out against the present accused persons.

7. On the other hand, the learned counsel appearing for respondent nos. 2 to 4 contends that the petitioner, being a well-educated person, had on the very same day of the alleged incident made a call at 100 number and also submitted a written complaint dated 05.07.2013 to the SHO. However, in that complaint, she had not even mentioned the presence of respondent nos. 2 to 4 in the office of the Principal at the time of the incident. It is further urged that on the same day, the petitioner had addressed a detailed three-page complaint to the Manager of the school, yet even in that complaint, there was no mention of respondent nos. 2 to 4, as being present at the scene. The learned counsel submits that the petitioner had subsequently concocted a false version and filed a complaint dated 21.07.2013, i.e., sixteen days after the incident, on the basis of





which the present FIR was registered. Even in that belated complaint, only bald and general allegations of verbal abuse were made, without specifying any exact words allegedly spoken by any of the respondents. It is argued that the gestures or words attributed to respondent nos. 2 to 4 do not satisfy the ingredients of Section 509 of the IPC, as they did not carry any sexual connotation, and hence no offence under the said provision was made out against them. It is thus prayed that the present petition be dismissed as the impugned orders suffer from no infirmity or illegality.

8. This Court has **heard** arguments addressed on behalf of the petitioner and the respondents, and has perused the material placed on record.

9. In the present case, the allegations levelled by the petitioner, in brief, are that on 05.07.2013, when she had approached the office of the Principal to seek clarification regarding the mutilation of her attendance record, the Principal, along with respondent nos. 2 to 4, had subjected her to indecent remarks, abusive language, and shameful gestures.

10. As apparent from the record, at the time of the incident the petitioner had made a call at 100 number, pursuant to which SI Ram Raj had reached the spot. The petitioner had handed over a short written complaint to him, addressed to the SHO, wherein she had mentioned about being harassed by Mr. K.P.S. Malik on the date of incident. However, in that complaint she had not mentioned the



names of respondent nos. 2 to 4. On the same day, the petitioner had also submitted a written complaint to the school authorities, wherein she had referred to the incident of 05.07.2013 as well as to the previous conduct of Mr. K.P.S. Malik and the prior misbehaviour of respondent nos. 2 to 4.

11. Thereafter, on the next day i.e., 06.07.2013, she had submitted another complaint to the SHO of Police Station Moti Nagar, where she had elaborated upon the incident of 05.07.2013 and had stated that respondent nos. 2 and 3 were present in the office of the Principal from the very beginning, and that respondent no. 4 had later joined them, and all of them had abused and harassed her. However, since no FIR was registered at that stage, the petitioner once again submitted a detailed complaint on 21.07.2013 to the concerned SHO, on the basis of which the present FIR came to be registered.

12. Having perused the case file, the impugned orders, as well as the series of complaints filed by the petitioner, who is admittedly an educated person, this Court notes that her first complaint dated 05.07.2013 did not contain any allegations against respondent nos. 2 to 4, nor did it even mention their presence at the place of incident. Likewise, her second complaint dated 05.07.2013 addressed to the school authorities also contained no specific allegations against them pertaining to the incident of 05.07.2013. Even in her subsequent complaint dated 06.07.2013, she did not specify the exact words or gestures allegedly used, but only made a general allegation of



“shameful gestures with obscene remarks.”

13. It is only in her statement recorded under Section 164 Cr.P.C. that she had, for the first time, specified particular utterances attributed to the respondents, that – respondent no. 3 Anand Kumar had abused her saying “*saali bakwas kar rahi*”, that respondent no. 2 Hari Kishan had called her “*randi*” and hurled abuses, and that respondent no. 4 Rajinder Kumar had also abused her, called her “*saali*”, threatened her promotion prospects, and attempted to overpower her. Thus, it is evident that the specific allegations against respondent nos. 2 to 4 were introduced by the petitioner for the first time in her statement recorded under Section 164 of the Cr.P.C.

14. It is noted that the impugned orders discharging respondent nos. 2 to 4 are primarily premised on the ground that their names had not been mentioned by the petitioner in her first two complaints dated 05.07.2013, i.e., one handed over to the police official who had reached the spot and the other submitted to the school authorities – which is a matter of fact. However, the record also reveals that respondent nos. 2 to 4 were specifically named by the petitioner in her subsequent complaint dated 06.07.2013, i.e., the very next day of the incident, wherein she alleged their presence in the office of the Principal and their participation in abusing and harassing her, though not specifying the nature of abuse etc.. They were also named in her further complaint dated 21.07.2013, on the basis of which the FIR was ultimately registered, and in her statement recorded under



Section 164 of the Cr.P.C. on 23.07.2013, wherein she gave further details of the incident and attributed specific acts to them. Thus, the fact that the names of respondent nos. 2 to 4 were disclosed in the complaint made on the very next day of the incident i.e. complaint dated 06.07.2013, cannot be outrightly ignored, and respondent nos. 2 to 4 cannot be discharged solely on the ground that in the first two complaints made on the day of incident, they had not been named by the petitioner.

15. Thus, in such circumstances, it shall be appropriate to also examine the allegations of the petitioner against respondent nos. 2 to 4 in the context of the offence alleged, i.e. Section 509 of IPC, which deals with uttering any word, making any sound or gesture, or exhibiting any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by a woman, or intruding upon the privacy of a woman, with the intention to insult her modesty.

16. Therefore, it becomes necessary to assess whether the allegations attributed to respondent nos. 2 to 4, even if taken at their face value, fulfil the essential ingredients of Section 509 of the IPC.

17. Section 509 of the IPC read as under:

“509. Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any objects, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to three years and also with fine”.



18. The next facet that warrants attention by this Court is the interpretation of the word ‘modesty’. The Hon’ble Supreme Court in a catena of decisions has discussed the meaning of the word ‘modesty’, and held that modesty refers to the respect and dignity of a woman majorly owing to her sex, which effectively, translates to her sexual dignity and decency. In a recent decision of the Hon’ble Supreme Court in *Madhushree Datta v. State of Karnataka: (2025) 3 SCC 612*, it was observed as under:

“27. ....While modesty is not explicitly defined in the IPC, this Court has addressed the essence of a woman's modesty in the decision in *Ramkripal v. State of Madhya Pradesh*. Excerpts from the decision read as under:

“7. ...12. What constitutes an outrage to female modesty is nowhere defined in IPC. The essence of a woman's modesty is her sex. The culpable intention of the accused is the crux of the matter. The reaction of the woman is very relevant, but its absence is not always decisive. Modesty in this Section is an attribute associated with female human beings as a class. It is a virtue which attaches to a female owing to her sex...”

28. Further, this Court while discussing the test for outraging the modesty of a woman under Section 509 of the IPC in *Rupan Deol Bajaj v. Kanwar Pal Singh Gill*, observed as under:

“15. In *State of Punjab vs. Major Singh* (AIR 1967 SC 63) a question arose whether a female child of seven and a half months could be said to be possessed of ‘modesty’ which could be outraged. In answering the above question Mudholkar J., who along with Bachawat J. spoke for the majority, held that when any act done to or in the presence of a woman is clearly suggestive of sex according to the common notions of mankind that must fall within the mischief of Section 354 IPC. Needless to say, the ‘common notions of mankind’ referred to by the learned Judge have



to be gauged by contemporary societal standards. The other learned Judge (Bachawat J.) observed that the essence of a woman's modesty is her sex and from her very birth she possesses the modesty which is the attribute of her sex. From the above dictionary meaning of 'modesty' and the interpretation given to that word by this Court in Major Singh's case (supra) it appears to us that the ultimate test for ascertaining whether modesty has been outraged is, is the action of the offender such as could be perceived as one which is capable of shocking the sense of decency of a woman..."

19. It was further held by the Hon'ble Supreme Court in *Madhushree Datta v. State of Karnataka* (supra) that mere allegation of the complainant that the accused used "*filthy language*", when examined in isolation, could not lead to an inference that the modesty of the complainant had been outraged. The relevant observations are as under:

"30. The term "filthy language," when examined in isolation, and without any contextual framework or accompanying words, indicating an intent to insult the complainant's modesty, does not fall within the purview of Section 509 of the IPC. Had there been references to specific words used, contextual details, or any gestures—whether preceding, succeeding, or accompanying these words—that could demonstrate a criminal intent to insult the modesty, and it might have assisted the prosecution in establishing the case against the appellants."

20. In the light and circumstances of the present case, it is important that this Court adverts its attention to and analyses the specific allegations levelled against the present respondents.

21. When the allegations are examined in the light of the intent and scope of Section 509 of IPC, the allegation against respondent no. 3,



Anand, is that he had hurled abuse against the petitioner by calling her “saali” and remarked that she was “talking rubbish.” As far as respondent no. 4 Rajinder is concerned, the allegation is that he had also called her “saali” and threatened that he would ensure that she was not promoted and would be thrown out of the school. In this Court’s opinion, these allegations, even if taken at their face value, would *prima facie* not attract the ingredients of Section 509 of IPC. The essential element of Section 509 of IPC is the intention to insult the modesty of a woman, which has been consistently interpreted by the Hon’ble Supreme Court to mean an act or expression that is sexually coloured, or is suggestive of sex, thereby affecting the dignity of a woman as a woman. The abuses allegedly uttered by respondents Anand and Rajinder, although condemnable if true, cannot in themselves be construed as intended to outrage the modesty of the petitioner. They are in the nature of generic abuses which, at best, amount to use of derogatory language, but lack the sexual connotation or suggestive element required to bring them within the ambit of Section 509 of IPC. The threats of withholding promotion or throwing the petitioner out of employment also, though coercive and intimidating, are not linked with any sexual dignity of the petitioner and thus cannot be said to fall within the ambit of offence under Section 509 of IPC.

22. Insofar as respondent no. 2, Hari Kishan, is concerned, the petitioner has alleged that he had called her “*randi*” and hurled abuses at her. In this Court’s opinion, the use of such an expression



cannot be regarded as a mere abuse or a casual insult. The word, when directed towards a woman, is laden with sexual innuendo and directly imputes unchastity to her. It is not a casual term of abuse but one which specifically attacks a woman's character by questioning her sexual dignity and portraying her as of loose moral character. Such a term, when used, is bound to humiliate a woman and lower her in the estimation of others by attacking her very status as a woman. The essence of Section 509 of IPC lies in the intent to insult the modesty of a woman, and modesty has been judicially understood as referring to the dignity associated with her sex. The allegation that respondent no. 2 had called the petitioner "*randi*" would *prima facie* fall within the ambit of the offence under Section 509 of IPC.

23. The High Court of Bombay in ***Prasad Shirodkar v. State***: 2013 SCC OnLine Bom 2187 observed as follows, in respect of usage of the word "*randi*":

"7. ....The words attributed to the accused in that case had the propensity to be interpreted as a slur on the victim's character and the Court then referred to the past conduct of the victim and decided the case. Such are not the facts in the case at hand. Here words used such as "*randi, chedeydi, zavane*" are themselves abusive, filthy and without doubt resulting in insulting the modesty of a woman. The contention of the learned Counsel for the applicant that in the circumstances even if the applicant is held to have been unjustifiably lost his control and uttered those words, some other offence may be made, but not offence under Section 509 of the Penal Code, because he did not utter those words with the intention to insult modesty of a woman. This contention cannot be accepted because intention is a matter of inference. Intention has to be gathered from the act complained of since there is no mechanism as yet to probe into the mind of the offender to find





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out as to what intention he was harbouring at the relevant time. Here, the applicant had used abusive words to a woman. The only intention that could be attributed to him is that he intended to insult the modesty of the victim in uttering those words.”

24. Accordingly, taking a *prima facie* view of the material on record, this Court is of the considered opinion that a charge under Section 509 of IPC can indeed be framed against respondent no. 2, Hari Kishan. Whether in the given facts and circumstances, such expression actually resulted in outraging the modesty of the petitioner, is however a matter of trial.

25. Thus, in view of the foregoing discussion, this Court is inclined to modify the impugned orders to the extent that respondent no. 2 is found liable to face trial for commission of offence under Section 509 of IPC, whereas the discharge of respondent nos. 3 and 4 is upheld.

26. The petition is disposed of in above terms.

27. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

28. Copy of this judgment be forwarded to the concerned Trial Court for information and compliance.

29. The judgment be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**SEPTEMBER 16, 2025/A**

*T.D.*