

Court No. - 82

Case :- CRIMINAL REVISION No. - 2494 of 2023

Revisionist :- Smt. Pushpa Devi

Opposite Party :- State Of U.P. And 3 Others

Counsel for Revisionist :- Lakshman Prasad Ojha, Kumar

Kartikeya, Praveen Kumar Mishra, Varun Kumar Mishra, Veerendra Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Ms. Nand Prabha Shukla, J.

Heard learned counsel for the revisionist and learned A.G.A. for State.

By means of this criminal revision, the revisionist has prayed to set aside impugned judgment and order dated 07.04.2023 passed by Chief Judicial Magistrate, Prayagraj in Complaint Case under Section 156(3) Cr.P.C. No. 593 of 2023 (Smt. Pushpa Devi Vs. S.H.O. Daraganj (Virendra Mishra & others) Police Station-Daraganj, District-Prayagraj and further direct the Chief Judicial Magistrate, Prayagraj to summon accused persons i.e. opposite party nos.2 to 4.

Learned counsel for the revisionist submits that an application under Section 156(3) was moved which was rejected vide order dated 07.04.2023 without assigning the adequate reasons and relying on the irrelevant case laws. The revisionist is the mother of the deceased and his son died during the police custody. The matter is directed to remand back and for fresh consideration.

Having regard to the facts and circumstances of the case, the court below i.e Chief Judicial Magistrate, Prayagraj is directed to make all possible efforts to decide the aforesaid case afresh expeditiously.

With the aforesaid direction, this revision is ***disposed of.***

Order Date :- 30.11.2023

Imtiyaz