

Court No. - 79

Case :- CRIMINAL REVISION No. - 3762 of 2023

Revisionist :- Smt. Seema

Opposite Party :- State of U.P. and Another

Counsel for Revisionist :- Om Prakash

Counsel for Opposite Party :- G.A., Ray Sahab Yadav

Hon'ble Vipin Chandra Dixit, J.

Heard Sri Om Prakash, learned counsel for the revisionist, learned A.G.A. for the State and Sri Ray Sahab Yadav, learned counsel appearing on behalf of opposite party no.2.

This criminal revision has been filed by the revisionist against the judgement and order dated 13.04.2023 passed by Civil Judge (Junior Division)/F.T.C (CAW)/ Judicial Magistrate, Jhansi in Complaint Case No.- 2505440 of 2014 by which the complaint filed by revisionist under Section 12 of Protection of Women from Domestic Violence Act, was rejected.

Sri Ray Sahab Yadav, learned counsel for the opposite party no.2 has raised preliminary objection that the criminal revision against the order passed under Section 12 of Domestic Violence Act is not maintainable as the revisionist has an alternate remedy to file appeal under Section 29 of Domestic Violence Act.

Learned counsel appearing for the revisionist does not dispute the aforesaid legal proceeding.

In view of above the criminal revision is ***dismissed*** on the ground of alternate remedy of appeal, as provided under Section 29 of Domestic Violence Act.

Order Date :- 18.10.2023

Virendra