

Court No. - 81

Case :- MATTERS UNDER ARTICLE 227 No. - 9404 of 2023

Petitioner :- Babalu And 5 Others

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Imtiyaj Ali

Counsel for Respondent :- G.A.

Hon'ble Mrs. Jyotsna Sharma,J.

1. None responds for the petitioners.
2. Heard learned AGA and perused the papers on record.
3. This petition has been filed challenging the judgment and order dated 05.08.2023 passed in Criminal Revision No.111 of 2022, Anjum Bano vs. State of UP & others whereby, the summoning order was set aside and the learned Trial Court was directed to pass an order afresh in the light of observations of the revisional court.
4. Perusal of the papers demonstrate that on the basis of the evidence given under Section 200 and 202 CrPC, three persons namely, Jamaluddin, Noorjahan Begum and Mahboob Ansari were summoned on a complaint filed by opposite party no.2. This may be noted at the very outset that none of them is a petitioner herein. That order was challenged by opposite party no.2 by means of filing a revision. The revisional court set aside the summoning order and directed the court below to pass an order afresh.
5. The petitioners cannot said to have any grievance against the impugned order as admittedly no order against them is in existence. In my view, no case for interference is made out and this petition is therefore, **dismissed**.

Order Date :- 6.12.2023

Priya