

Court No. - 12

Case :- CRIMINAL REVISION No. - 1237 of 2023

Revisionist :- Nagaru Ram

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Govt. Lko And 3 Others

Counsel for Revisionist :- Dhiraj Chaurasiya, Keshav Ram Chaurasia, Rakesh Kumar Verma

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the revisionist, learned A.G.A. for the State and perused the material brought on record.
2. This revision has been filed for quashing the order dated 19.09.2023 passed in Complaint Case No. 73 of 2019, (Nagaru Ram Vs. Lal Bahadur & Ors., P.S. Jaitpur (now Katka), District Ambedkar Nagar.
3. Learned counsel for the revisionist submits that on 19th June, 2012 in the morning at 7.00 a.m, private respondent/accused persons were raising the illegal construction and when the applicant went to place of incident, the accused persons started abusing him. The revisionist tried to save himself, but the accused persons started chasing him by abusing caustic words. On the alarm of the revisionist, co-villagers Ramjeet and Sri Ram reached on the spot. It is further submitted that in the statement of Sri Ram and Ramjeet recorded under Section 202 Cr.P.C., they categorically stated that when they reached on the spot, they found that the revisionist was being beaten by kicks, punches and danda by the accused persons and caustic words were also passed by the accused persons. Submission of the learned counsel for the revisionist is that the court below committed error in not summoning the accused persons under Section 323 I.P.C. and for the offences of SC/ST Act. It is, thus, submitted that the indulgence of this Court is necessary.
4. Learned A.G.A. opposes the prayer of the revisionist and

submits that in the statement of the revisionist, he himself admitted that he reached on the spot alone and when the abusive words were used by the accused persons, he ran away. At the same time, the revisionist raised alarm, on which, the villagers reached on the place of incident. It is vehemently submitted that the revisionist, in his statement, has not stated that he was beaten by the accused persons. It is, thus, submitted that the court below has rightly passed the impugned order summoning the accused persons under Sections 504, 506 I.P.C.

5. Considering the arguments advanced by the learned counsel for the revisionist, learned A.G.A. and going through the contents of the revision, impugned order as well as other relevant documents including the statement of the revisionist/victim, it is evident that the revisionist has not deposed in his statement recorded under Section 200 Cr.P.C. that he was beaten by the accused persons with kicks, punches and danda and only allegation made by him is that he was abused as well as life threat was given to him by the accused persons.

6. In view of above facts and circumstances, the court below has rightly passed the impugned order warranting no interference.

7. The revision is devoid of merit and stands dismissed.

Order Date :- 8.11.2023

VKS