

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No. 487 of 2015

Dr. Jitendra Tamrakar Son of Bhagwat Tamrakar Aged About 29 years,
at present Government Hospital Residential Colony, Khairagarh, At
Present Temerpara, Dhamdha, District Durg (CG)

---- Applicant

Versus

1. Smt. Sweta Tamrakar Wife of Dr. Jitendra Tamrakar Aged About 25 Years R/O Tamerpara, In front of Lakhan Lal Sahu, Dhamdha District Durg (CG)
2. Dilip Kumar Tramrakar S/o Shriram Tamrakar Aged About 59 Years R/O Near Mahamaya Mandir, Kalika Nagar Tifra, Ward No. 14 Tifra, P.S. Sirgitti, District Bilaspur (CG)
3. Ishwari Lal Tamrakar S/O Shriram Tamrakar Aged About 68 Years R/O House No. 69/502, Gayatri Nagar Daganiya, P.S. & Post Sundarnagar, Tahsil & District Raipur (CG)hattisgarh
4. Dashrath Lal Tamrakar son of Shriram Tamrakar Aged About 64 Years R/O MRP Colony, Quarter No. H-7, Rudri, P.S. Dhamtari, Tahsil & District Dhamtari (CG)
5. Ramkrishna Tamrakar son of Shriram Tamrakar, aged about ____years, R/O Shankar Nagar Durg, Rented House Of Satyendra Shrivastava, P.S. Mohannagar, Tahsil & District Durg (CG)

---- Respondents

For Applicant : Mr.Jitendra Gupta, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

13/08/2015

1. Heard on admission.
2. By this criminal revision, the applicant has challenged the legality and validity of the order dated 17.3.2015 passed by the Principal Judge, Family Court, Durg in unregistered case (Dr.Jitendra Tamrakar v. Smt.Sweta Tamrakar and others), whereby the Family Court has rejected an application

filed by the applicant under Section 195(1) read with Section 340 of the Cr.P.C.

3. Application of the non-applicants under Section 125 of the Cr.P.C. was rejected by the Principal Judge, Family Court, Durg vide order dated 27.8.2014 for want of territorial jurisdiction. Thereafter, the present applicant has preferred an application under Section 195 (1) read with Section 340 of the Cr.P.C. stating inter-alia that the non-applicants have given false evidence under Section 191 of the IPC. The Family Court by its order declined to take cognizance holding that the non-applicants have not committed any offence as described under Section 195 of the Cr.P.C.

4. I have heard learned counsel appearing for the applicant, perused the order dated 27.8.2014 and impugned order.

5. I do not find any illegality in the impugned order warranting interference by this Court in its revisional jurisdiction as the Family Court is absolutely justified in rejecting the application.

6. The criminal revision deserves to be and is accordingly dismissed at the admission stage itself.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-