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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 247/2015

STATE

..... Petitioner

Through

Mr. M.P. Singh, APP for the State
SI Yogesh Kumar SP Bhajan Pura.

versus

SHIVRAJ SHARMA & ORS

..... Respondents

Through

Mr.Bharat Sharma & Mr.Akshay
Bhatia, Advs.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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06.10.2015

The present revision petition has been preferred by State against the order dated 04.06.2013 passed by the Trial Court whereby the respondents have been discharged for the offence under Section 302 and other sections of IPC.

Mr.Bharat Sharma, learned counsel has appeared on behalf of the respondents and has submitted that against the aforesaid order dated 04.06.2013, the complainant had earlier preferred a Criminal Revision Petition vide Crl.Rev.P.404/2013.

In the aforesaid criminal revision petition, a bench of this Court vide judgment and order dated 23.01.2014, set aside the order dated 04.06.2013 and remitted the case back to the Trial Court for framing charge against the respondents (accused persons) under section 304 of the IPC. It was left open

for the Trial Court to decide whether charges were to be framed under section 304 (1) or (2) of the IPC.

In this view of the matter, there is no reason to entertain the present revision petition preferred by the State against the same order i.e. the order dated 04.06.2013.

For the reasons aforesaid, the Criminal Revision Petition No.247/2015 has become infructuous.

Dismissed as having become infructuous.

ASHUTOSH KUMAR, J

OCTOBER 06, 2015
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