

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

**DECIDED ON : JULY 28, 2015**

**+ CRL.REV.P. 354/2014**

**GEETA DEVI & ANR**

..... Petitioners

Through : Mr.Khushbir Singh, Advocate.

versus

**STATE**

..... Respondent

Through : Mr.Amit Ahlawat, APP.

**CORAM:  
HON'BLE MR. JUSTICE S.P.GARG**

**S.P.GARG, J. (ORAL)**

1. The petitioners have filed the instant revision petition to impugn order dated 29.3.2014 of learned Additional Sessions Judge whereby the petitioners were charged for committing offence under Section 307/34 IPC and 394 IPC. Status report is on record.

2. During the course of arguments, the learned counsel for the petitioners opted to withdraw the revision petition qua charge under Section 307 IPC. Learned Additional Public Prosecutor was fair enough

to admit that there was no material to proceed against the petitioner No.1 under Section 394 IPC.

3. On perusal of the statements of the victim and other prosecution witnesses examined during investigation, I find that it is a case under Section 307/34 IPC whereby injuries were inflicted in furtherance of common intention by the petitioners on the vital organ of the victim. Taking out ₹20,000/- from the pocket, as alleged by the victim during the incident does not attract the ingredients of Section 394 IPC.

4. In view of this, the Revision Petition is disposed of with the direction that the petitioners shall be proceeded only for the commission of offence under Section 307/34 IPC. Charge framed under Section 394 IPC is set aside.

5. Trial Court record (if any) be sent back forthwith along with the copy of this order.

**(S.P.GARG)**  
**JUDGE**

**JULY 28, 2015**  
sa