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

+ CRL.REV.P. 425/2015

STATE (GOVT OF NCT OF DELHI) Petitioner
Through: Mr.M.P.Singh, APP.

versus

VICKY KUMAR Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **14.07.2015**

Crl.M.A No.9859/2015

Exemption granted subject to all just exceptions.

Application stands disposed of.

Crl.M.A No.9860/2015

For the reasons shown in the petition, the delay of 46 days in filing the petition is condoned.

The application is allowed and disposed of accordingly.

CRL.REV.P. 425/2015 & Crl.M.A No.9858/2015

The State has put up a challenge to the order dated 20.2.2015 passed by the learned Additional Sessions Judge-IV, South East whereby it has been held that from the facts and circumstances of the case, no offence under Section 397 of the Indian Penal Code is made out against the accused persons.

By the same order, charges under Sections 392 and 411 of the IPC framed against the accused persons by the Trial Court were sustained.

The Revisional Court after analysing the provision of Section 397 of the Indian Penal Code rightly took the view that if the accused is in possession of a shaving blade, it would not be called a dangerous weapon so as to create terror in the mind of the victim. Consequently, Section 397 of the IPC is not attracted.

This Court finds no fault with the order passed by the Revisional Court.

The petition is dismissed.

ASHUTOSH KUMAR, J

JULY 14, 2015

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