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

+ CRL.M.C. 295/2016

STATE NCT OF DELHI

..... Petitioner

Through Mr.Rajat Katyal, APP for the State.

versus

RENU

..... Respondent

Through None.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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25.01.2016

Crl.M.A. 1309/2016 (Exemption)

Application is allowed subject to just exceptions.

Crl.M.C. 295/2016

The present petition has been filed by the State under Section 482 Cr.P.C. for setting aside the order dated 03.06.2015 passed by the learned Additional Sessions Judge, South West, Dwarka Courts, Delhi thereby acquitting the respondent/accused under Section 498A/304B IPC in FIR No.284/2014, Police Station Najafgarh.

The facts, in brief, are that on the basis of supplementary charge sheet, keeping in view the statement under Section 164 Cr.P.C.

of the complainant, the learned Metropolitan Magistrate summoned the respondent as an accused. Against the summoning order, the respondent approached the Court of Sessions by filing a revision petition where the order of the learned Metropolitan Magistrate was set aside.

In the present petition, the grouse of the petitioner/State is that the passing of the order by the learned Additional Sessions Judge in a revision petition may come in the way subsequently when the matter would be committed before the Court of Sessions.

Consequently, the present petition is disposed of with the liberty to the State to argue the mentioning of the name of the respondent and to raise this point at the time of taking cognizance and hearing the arguments on charge by the Court of Sessions after commitment.

With the observations made above, the present petition is disposed of.

P.S.TEJI, J

JANUARY 25, 2016
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