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

+ CRL.REV.P. 707/2014

KAVITA DEVI YADAV

..... Petitioner

Represented by: Mr. Narendra Kumar Yadav
and Mr. Karunakar Mahalik,
Advocates.

versus

STATE & ORS

..... Respondents

Represented by: Mr. Kewal Singh Ahuja, APP
for the State with SI Surender
Singh, PS Bindapur.
Mr. Aditya Singh, Advocate for
respondent No.2 to 5.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.08.2016

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1. Vide order dated 8th August, 2013 in FIR No.166/2013 registered at PS Bindapur on the complaint of the petitioner four accused persons, that is, Naresh Singh Sirohi, Rajender Singh, Kamal and Ishwar were directed to be charged for offence punishable under Sections 354/354A read with Section 34 IPC.

2. Challenging the order dated 8th August, 2013 passed by the learned Metropolitan Magistrate two revision petitions were filed, one by the petitioner/complainant pleading that beside offences punishable under Sections 354/354A offence punishable under Section 376D read with Section 511 IPC was also made out against respondent Nos. 2 to 5. The said revision petition was dismissed vide order dated 27th March, 2014. Naresh

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Kumar also filed a revision petition challenging the order dated 8th August, 2013 directing framing charge under Sections 354/354A read with Section 34 IPC which revision petition was allowed also vide order dated 27th March, 2014.

3. The prayer in the present petition is to setting aside the order dated 27th March, 2014 and adding Sections 511 IPC read with Section 376D in FIR No.166/2013, PS Bindapur. As per the index, the impugned order dated 27th March, 2014 is the one wherein the revision petition filed by the petitioner/complainant is dismissed asking for framing of additional charge for offences punishable under Sections 376D/511 IPC.

4. On a specific query put to the learned counsel for the petitioner/complainant as to how Sections 376D/511 IPC are attracted out learned counsel for the petitioner states that he does not press the present petition to this extent. He states that he presses the present petition only to the extent that order of the learned Metropolitan Magistrate dated 8th August, 2013 has been set aside qua Naresh Kumar Singh vide order dated 27th March, 2014. The said order is neither impugned in the present petition not any prayer made to that extent.

5. Faced with this situation learned counsel for the petitioner states that he would file a fresh petition challenging the order dated 27th March, 2014 to the extent it discharges Naresh Kumar for offences punishable under Section 354/354D IPC.

6. Petition is thus dismissed.

MUKTA GUPTA, J.

AUGUST 22, 2016/‘vn’