

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.797 of 2015

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1. Usha Devi W/o- Ramshekhar Chaudhary resident of North Jia Prakash Nagar on the Canal, P.O.- Ashiyana Nagar, P.S.- Rajeev Nagar, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Pratibha C. Chaudhary W/o Late Chandrashekhar Prakash Chaudhary, resident of C/o- Dr. B.K. Sinha B/28, Indrapuri P.S. Shastri Nagar, P.O. B.V. College, Patna- 14

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Respondent/s : Mr. Dr. Kr. Uday Pratap(App)
For O.P. No. 2 : Mr. Sandeep Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 09-02-2017 Heard learned Counsel for the petitioner,

learned Counsel appearing on behalf of Opposite Party No.
2 and learned Additional Public Prosecutor representing the
State.

The petitioner is the mother-in-law of Opposite Party No. 2, who has been made accused in Shastrinagar Police Station Case No. 95 of 2007 (G. R. No. 2450 of 2007), registered for the offences punishable under Section 498A of the Indian Penal Code.

The present criminal revision application, under Section 397 read with Section 401 of the Code of Criminal



Procedure, 1973, has been filed against the order, dated 30.07.2015, passed in Shastrinagar Police Station Case No. 95 of 2007, whereby the learned Additional Chief Judicial Magistrate, Patna, has framed charge of offences punishable under Section 498A of the Indian Penal Code against the petitioner and two others.

The plea, which has been taken to assail the said order, dated 30.07.2015, is that the petitioner had filed an application for her discharge, which has not been decided.

From the materials on record, I find that way back, in the year 2009 itself, the petitioner had filed an application for discharge, which was never pressed. No grievance was raised at any stage for non-disposal of her application for discharge, under Section 239 of the Code of Criminal Procedure, 1973.

However, I am not convinced with the submission advanced on behalf of the petitioner that no case is made out on the basis of allegations made in the First Information Report, constituting offence punishable under Section 498A of the Indian Penal Code.

I, accordingly, do not find any reason to interfere with the order impugned.

There is no merit in this application. This



application is, accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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