

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 126 of 2017

- Smt. Shakuntala Sahu W/o Satish Sahu, Aged About 35 Years
R/o Patharripa, Korba, Tahsil & District Korba, Chhattisgarh.
--- Appellant

Versus

1. T.R.Sahu S/o Haricharan Sahu Aged About 67 Years R/o M- 16
Rajeev Nagar, Raipur, Tahsil & District Raipur, Chhattisgarh.
2. Smt. Punai Bai W/o T.R. Sahu Aged About 60 Years R/o M- 16
Rajeev Nagar, Raipur, Tahsil & District Raipur, Chhattisgarh.
3. Deepak Sahu S/o T.R. Sahu Aged About 38 Years R/o M- 16
Rajeev Nagar, Raipur, Tahsil & District Raipur, Chhattisgarh.
4. Sandhya Sahu S/o T.R. Sahu Aged About 30 Years R/o M- 16
Rajeev Nagar, Raipur, Tahsil & District Raipur, Chhattisgarh.
-- Respondents

For the applicant : Mr. Basant Kaiwartya, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2017

1. This petitioner is against the order dated 22.10.2016 passed
by the learned Sessions Judge, Korba (C.G) in Criminal
Revision No. 65/2016.
2. Applicant Smt. Shakuntala Sahu was married to one Satish
Sahu in the year 2002. Subsequently when she joined her
matrimonial life, she was subjected to cruelty for demand of
dowry and was also subjected to domestic violence.
Thereafter some meeting took place and eventually nothing
could be arrived at and the applicant was forcibly deserted
from the house by the husband and other family members.
Thereafter it is alleged that the applicant came to know that
the husband Satish Sahu despite the existing marriage with

her has married another lady Chhaya Sahu and thereafter knowing the same, the application u/s 12 read with section 18 to 22 of the Domestic Violence Act, 2005 was filed against her husband Satish Sahu; second wife Chhaya Sahu and other family members. In the said complaint, T.R. Sahu, Punai Bai, Deepak Sahu and Gudiya (Sandhya) were impleaded as party/respondents who were alleged to be related to Chhaya Sahu the second wife of Satish Sahu. During the course of proceeding, an application was filed for deletion of name of non-applicants from the complaint. The trial Court after evaluating the facts and evidence came to conclusion that no case is made out against the non-applicants and consequently their names arrayed as respondents 11 to 14 in the complaint were directed to be deleted. Against such deletion the present petition has been filed.

3. A perusal of the complaint would show that the respondent herein T.R. Sahu, Punai Bai, Deepak and Gudiya have been arrayed as party/respondents for the reason that they are relatives of Chaya Sahu who is alleged to be the second wife of Satish Sahu. Perusal of the complaint would show that no specific allegations appear to have been existed against the present non-applicants and only for the reason that they are said to be relatives of the so called second wife of Satish Sahu, they cannot be inculpated in this case. Merely because the fact that the applicant want to prosecute the relatives of the wife of bigamy wife along-with the husband cannot give a ground in absence of substantial pleading. Consequently I do not find any illegality or perversity in the impugned order dated 22.10.2016 warranting interference

by this Court. Accordingly, this revision is dismissed.

Sd/-
GOUTAM BHADURI
JUDGE

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