

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.698 of 2017

ORDER :

Aggrieved by the judgment dated 20.09.2016 in Criminal Appeal No.168 of 2015 passed by the Sessions Judge, Mahila Court, Visakhapatnam, this revision is filed by the petitioner/ wife.

Heard the learned counsel for the petitioner, the learned Public Prosecutor for the State-2nd respondent and the 1st respondent, who is appearing as party-in-person.

The wife maintained the revision against the 1st respondent/husband. She filed D.V.C.No.20 of 2012, complaining acts of domestic violence against her by her husband and also for shared residence and also monitory reliefs and after contest from the evidence on record of PWs.1 and 2 and RWs.1 to 3 and with reference to Exs.R1 to R46 exhibited by the husband including her means having possessed properties and also fixed deposits and money lending business, among the documents, the D.V.C. application was ended in dismissal on 01.04.2015 and she went unsuccessful even in the appeal maintained by her in Criminal Appeal No.168 of 2015, vide judgment dated 20.09.2016. Thus, impugning the said concurrent findings of dismissal of the D.V.C., she maintained the present revision.

The contentions in the grounds of revision are that the Courts below failed to appreciate the acts of domestic violence and her entitlement to the shared residence and should have been granted the reliefs, as prayed for. The learned counsel for the revision petitioner reiterated the same.

The 1st respondent, who is a retired employee appeared as party-in-person supports the orders of the Courts below.

This Court made efforts for reconciliation and the wife expressed her inability to join her husband, even he is willing. It is an undisputed fact that in the residence of husband, wife is residing in a portion.

Having regard to the above and in view of the concurrent findings supported by reasons, for this Court while sitting in revision, there is nothing to interfere.

Accordingly, the Criminal Revision Case is dismissed.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date:12-04-2017

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