

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.2765 OF 2017

JUDGMENT:

Heard Sri Mummaneni Srinivasa Rao, learned counsel for the revision petitioner.

2. The Criminal Revision Case is being taken up for disposal at the admission stage itself.

3. The revision petitioner - wife is challenging the concurrent findings recorded in the order dated 19.05.2014 by the D.V.C. Court in D.V.C. No.15 of 2011 and the learned Judge, Family Court, in the judgment dated 16.06.2017 in Criminal Appeal No.104 of 2014. The grounds on which both the Courts below refused the request of the revision petitioner were that she was residing separately and not along with respondent Nos.2 to 11 and also basing on the evidence let in, arrived at the finding that there was no domestic violence as such, which allegations were not proved by the revision petitioner.

4. The Courts below have examined 'ration card' even and found nothing in the cross-examination of RW.1 to assist the stand taken by the revision petitioner. Incidentally, even the settlement deed said to have been executed by the revision petitioner marked as Ex.R-2 was also referred to and, ultimately, the D.V.C. Court dismissed the case. In appeal, the learned Judge, Family Court, did

not find any error in the order of the D.V.C. Court and referred to the evidence in PWs.1 to 3 and RW.1 contextually and arrived at the same finding as that of the D.V.C. Court and recorded that there was no domestic relationship between the revision petitioner and the respondents. The learned appellate Judge also answered the submissions made before her in relation to the proceedings under Section 125 of the Code of Criminal Procedure, 1973.

5. When concurrent findings have been recorded by both the Courts below, unless it is shown that the judgment and the order of the Courts below suffer from utter perversity or patently illegal, no interference is warranted. Thus, there is no merit in the present revision.

6. Therefore, the Criminal Revision Case is dismissed, at the admission stage itself.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the revision stand dismissed.

A. SHANKAR NARAYANA, J

November 15, 2017.
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