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

DECIDED ON : 13th January, 2017

+ **CRL.REV.P. 329/2015**

RAVULA KUMARU SWAMY Petitioner
Through Mr.Ravindra S.Garia and
Mr.C.P.Nautiyal, Advocates

VERSUS

NATIONAL CAPITAL TERRITORY OF DELHI Respondent
Through Ms.Meenakshi Dahiya, APP for State
SI Naresh Kumar, P.S.Kamla Market

CORAM:
HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J. (Oral)

1. Present revision petition under section 397 Cr.PC has been preferred by the petitioner to challenge the legality and correctness of an order dated 20.04.2015 in Sessions Case No.22/2015 by which charge for commission of various offences was framed by the Court below against him. Petition is contested by the respondent.

3. I have heard learned counsels for parties and have examined the Trial Court Record. It is urged that the petitioner was not named either in the FIR or in the 164 Cr.PC statement. He has no relation whatsoever with Sudha; he is not her husband.

4. On perusal of the complaint lodged by the victim, it reveals that she had disclosed of being brought to Delhi by one Sudha along with her husband Ramesh on the pretext to provide her job as waitress in a hotel at Delhi. She alleged that subsequently she was handed over to one Shehnaz at Kotha No.64, G.B.Road for consideration where she was forced to indulge in prostitution.

5. During investigation, it revealed that the petitioner was identified as Sudha's husband who lived together as husband and wife. In the supplementary statement recorded on 07.12.2014 under Section 161 Cr.PC, the victim identified the petitioner to be Sudha's husband.

6. It is relevant to note that the victim examined herself as PW-2 before the trial court. In her court statement, she categorically identified the petitioner to be Sudha's husband, who had accompanied her to Delhi along with other girls. This version of victim cannot be brushed aside.

7. At the stage of consideration on charge, there was enough material before the trial court to proceed against the petitioner for the commission of various offences for which he has been charged.

8. Revision petition lacks in merits and is dismissed.

9. Trial Court Record be sent back immediately with the copy of the order.

(S.P.GARG)
JUDGE

January 13, 2017
cd