

THE HON'BLE Dr JUSTICE SHAMEEM AKTHER

Criminal Revision Case No.2546 of 2017

ORDER:

This Criminal Revision Case, under Sections 397 & 401 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 & A.2, challenging the order, dated 08.08.2017, passed in CrI.M.P.No.1 of 2016 in S.C.No.44 of 2013, by the Principal Assistant Sessions Judge, Warangal, whereby, the petition filed by the petitioners/A.1 & A.2 under Section 227 Cr.P.C. for their discharge, was dismissed.

2. Heard the learned counsel for the petitioners/A.1 & A.2, learned Assistant Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioners/A.1 & A.2 would submit that the learned Magistrate has taken cognizance for the offence under Section 307 read with 34 of I.P.C., pursuant to the direction by the Court of Session and ultimately prayed to discharge the petitioners/A.1 & A.2 by setting aside the impugned order.

4. The Court below, while dealing with the subject interlocutory application, had elaborately dealt with the matter and all the contentions raised before it, and negated the relief sought by the petitioners/A.1 & A.2. As per the material placed on record, there is record to show that there is nothing wrong in taking cognizance against the petitioners/A.1 & A.2 for the

offence under Section 307 read with 34 of I.P.C. It is not just the injury caused, the intention of the accused shall also be taken into consideration to proceed with under Section 307 of I.P.C. The material required to proceed against the petitioners/A.1 & A.2 under Section 307 read with 34 of I.P.C. is borne by record. There is no illegality in the impugned order. There is no miscarriage of justice. The Criminal Revision Case is devoid of merit and is liable to be dismissed.

5. Accordingly, this Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Revision Case, shall stand dismissed.

25th April, 2018
Bvv

Dr. SHAMEEM AKTHER, J

