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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1197/2018 & Crl.M.A. No. 4358/2018**

VINOD KAMRA Petitioner
Through: Mr. Shashi Shankar, Advocate.

versus

STATE OF NCT OF DELHI Respondent
Through: Mr. Mukesh Kumar, APP for State
with SI Amit Dutt, P.S. Lajpat Nagar.
Mr. Sunil Kumar, Advocate for
complainant.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **25.07.2018**

On the basis of material submitted with the charge-sheet presented on conclusion of the investigation into the FIR No.710/2015, the petitioner stood summoned. The Metropolitan Magistrate considered the question of charge by order dated 05.04.2017 and found charge made out for offences punishable under Sections 354/323/452/448 IPC. The said order was challenged by the petitioner before the court of sessions invoking its revisional jurisdiction by a revision petition (wrongly referred to as Criminal Appeal No.235/17). The revision petition was disposed of by order dated 09.10.2017, *inter alia*, holding that the charge was made out for offences punishable under Sections 354/323/448 IPC. The petition at hand challenges the said order invoking the inherent jurisdiction of this Court under Section 482 Cr.P.C.

Against the above backdrop, question arose as to whether the petitioner having availed of the remedy of revision should be allowed to have recourse to the petition at hand as a substitute for virtually a second revisional challenge or scrutiny which is clearly barred under Section 397 (3) Cr.P.C.

This Court in an almost similar fact-situation, taking note of the decisions of the Supreme Court reported as *Krishnan Vs. Krishnaveni*, (1997) 4 SCC 241; *Rajinder Prasad Vs. Bashir*, (2001) 8 SCC 522 and *Kailash Verma vs. Punjab State Civil Supplies Corporation & Anr.*, (2005) 2 SCC 571 and following similar view taken by a learned single Judge of this Court in *Surender Kumar Jain vs. State & Anr.*, ILR (2012) 3 Del 99 in absence of a special case being made has earlier declined to interfere by the ruling (dated 03.07.2018) in Crl.M.C. 164/2018 *Ajay Maini vs. The State Govt. of NCT of Delhi & Ors.* in exercise of extraordinary jurisdiction under Section 482 Cr.P.C.

There are no special circumstances made out in the case at hand for the revisional court's view to be disturbed.

The petition and the applications filed therewith are dismissed.

R.K.GAUBA, J

JULY 25, 2018

srb