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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2177/2016 & CRL.M.A. 14212/2016**
REKHA S. SRIVASTAVA Petitioner

Through: Mr. Nalin Tripathi, Mr. Gagan
Srivastava & Ms. Sampa Sengupta
Roy, Advs.

versus

V.K SOOD & ORS Respondents
Through: Mr. Rajat Arora & Mr. Niraj Kumar,
Advs. for R-1 to 5.

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

ORDER
% **19.09.2018**

The petitioner filed a criminal complaint before the court of Magistrate alleging offences punishable under Sections 191, 200, 420, 463, 464, 465, 466, 467, 468, 469, 471, 120B of Indian Penal Code, 1860 (IPC) with a prayer for direction to the police for investigation under Section 156 (3) of the Code of Criminal Procedure, 1973 (Cr.P.C). The prayer was declined by the Magistrate, by order dated 21.12.2015.

The said order was challenged by the petitioner before the court of sessions invoking its revisional jurisdiction by petition (Criminal Revision no. 06/16) which was dismissed by order dated 20.02.2016 whereby the view taken by the Magistrate was upheld.

The petition at hand was filed invoking the inherent power of this court under Section 482 Cr. PC to assail the consistent view taken by the two courts below.

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 application filed therewith are dismissed.

R.K.GAUBA, J

SEPTEMBER 19, 2018

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