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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4886/2015 & CRL.M.A. 17489/2015
TAJ MOHAMMAD Petitioner
Through: Mohd. Aslam with Mr. Pranav
Gautam, Advocates.
versus

STATE (GNCTD) Respondent
Through: Mr. Mukesh Kumar, APP for State
with SI Shailendra Kumar Singh, P.S.
Gokulpuri, Delhi.

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

ORDER
% **06.08.2018**

On the report under Section 173 of Code of Criminal Procedure, 1973 (Cr.P.C) submitted on conclusion of investigation into FIR No.210/2011 of Police Station Gokalpuri, the petitioner was summoned as accused and upon consideration of the material submitted with the charge-sheet, by order dated 07.05.2014 he was put on trial, charges having been framed for offences punishable under Sections 186/353 of Indian Penal Code, 1860 (IPC). The petitioner challenged the said order before the court of sessions invoking its revisional jurisdiction (Crl. Revision no.05/2014) which, however, was dismissed by order dated 15.09.2015.

The present petition invoking the inherent jurisdiction of this Court under Section 482 Cr.P.C. questions the said orders of 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

AUGUST 06, 2018

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