

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CRIMINAL REVISION CASE No.665 of 2019

ORDER:

This Criminal Revision Case under Sections 397 and 401 of Cr.P.C., is filed aggrieved by the order dt.03.06.2019 in CrI.MP.No.851 of 2019 in Crime No.50 of 2019 passed by the IX Additional Chief Metropolitan Magistrate, Hyderabad, dismissing the petition by refusing to handover custody of the 2nd respondent victim-Wasima Begum, w/o. late Hyder, from the Rehabilitation Centre to the revision petitioner.

This is a case where the petitioner, claiming herself to be the elder sister of the 2nd respondent victim-Wasima Begum, w/o. late Sadiq Bin Mirza (wrongly mentioned as late Hyder), seeks to challenge the order dt.03.06.2019 passed by the Court below in dismissing her petition by refusing to handover custody of the 2nd respondent victim-Wasima Begum from the Rehabilitation Centre to her.

Heard Sri Sontake Abhilash, learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for respondent No.1 – State. Perused the material on record.

Learned counsel for the petitioner submits that respondent No.2 has got two children, viz., (1) Ms. Salwa Tarranum, with date of birth as 08.07.2006; and (2) Mr.

Mohammed Mustafa Bin Sadiq, with date of birth as 06.05.2008, who are facing hardship in her absence and hence the presence of respondent No.2/victim is very much required to take care of her children.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in this revision.

As can be seen from the material placed on record, the 2nd respondent victim is aged about 30 years, though mentioned as aged about 27 years, as per the date of birth mentioned in Aadhar Card as 01.01.1989. In those circumstances, the 2nd respondent victim having two children of aged about 13 years and 11 years, respectively, is most improbable. The Court below, having found that the petitioner failed to produce any material to support her contention that she is any way related or connected with 2nd respondent victim, has dismissed her application vide order dt.03.06.2019.

In those circumstances, there being no connection or relationship established between the petitioner and 2nd respondent victim, as rightly found by the Court below, the custody of 2nd respondent victim cannot be handed over to the petitioner.

Accordingly, this Criminal Revision Case is dismissed.

As a sequel, miscellaneous petitions pending, if any,
shall stand closed.

JUSTICE CHALLA KODANDA RAM

02.07.2019.
Msr



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