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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 878/2024, CRL.M.A. 20048/2024
CRL.M.A. 20049/2024

RANA

.....Petitioner

Through: Ms.Sushma Sharma, Mr.Girish
Kumar Sharma, Mr.Dhruv Kumar
Sharma, Advts.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr.Tarang Srivastava, APP for the
State.
SI Vivek Tomar, PS New Friends
Colony

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

11.07.2024

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1. Present revision petition has been filed challenging the order dated 29.05.2024 whereby the petition for recalling of PO order was rejected by the learned ASJ. Learned counsel for the petitioner assails the impugned order on the ground that the identity of the accused is disputed. Learned counsel submits that during the investigation only the disclosure statement was made mentioning only the name of the accused as Rana without any parentage. Learned counsel submits that even in the notice issued by the IO, the name of the father of the petitioner has been mentioned as Sattar whereas the father name of the present petitioner is Sattar Ali. Learned counsel submits that in another FIR no.302/2020 the IO had issued the notice as Rana s/o Sh.Sattar



whereas in the present case thethe proclaim notice under Section 82 Cr.P.C. has been issued with the parent name of Abdul Sattar. Learned counsel therefore submits that in these circumstances, the identity of the petitioner is doubtful and therefore NBW and the proclaim issued against the petitioner is liable to be recalled.

2. Issue notice. Learned APP accepts the notice.
3. Learned APP has submitted that during local inquiry the father name of the petitioner is found to be Abdul Sattar @ Sattar Ali. Learned APP submits that multiples raids were conducted at the house where the petitioner is stated to be residing for the last five years but he was not found available. Learned APP has also submitted that it has also come in the statemen of the wife of the petitioner that he was not residing at the given address for the last six months. Learned counsel for the petitioner has refuted the averments that any local enquiry was conducted. Learned counsel has submitted that no document regarding local enquiry or identification of the petitioner has been placed on record.
4. I have considered the submissions. First and foremost the revisional jurisdiction of this court is very limited. The court can interfere in the impugned order only if there is any illegal infirmity or perversity in the order of the learned trial court. Even the revisional court cannot substitute its view with the view taken in the impugned order. The order dated 29.05.2024 indicates that the learned trial court has considered and disposed of all the submissions in accordance with the law. The order also indicates that even the anticipatory bails applications moved by the petitioner were rejected. This court finds no



infirmity in the order of learned trial court. Hence, the revision petition is dismissed.

DINESH KUMAR SHARMA, J

JULY 11, 2024
rb/dg..