

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.500 of 2021**

Arising Out of PS. Case No.-1100 Year-2012 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Rekha Singh @ Rekha Singh Devi, W/O Neeraj Singh, R/O Village-Pithapur,
P.O-Paura, P.S-Sakeediha, District-Chandauti, State-U.P, Present Address-
D/O Bateshwar Singh @ Baleshwar Singh, R/O Village-Karnpura Pipra, P.S-
Durgawati, District-Kaimur (Bhabhua), Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neeraj Singh S/O Narendra Singh R/O Village-Pithapur, P.O-Paura, P.S.-
Sakeediha, District-Chandauti (U.P.)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.
For the State : Mr. Chandrasen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-06-2025 The present Criminal Revision petition has been preferred by the petitioner against the impugned judgment dated 21.12.2020 whereby the judgment of conviction and order of sentence dated 06.01.2018 passed by learned Trial Court has been set aside by learned Additional Sessions Judge, XI, Kaimur at Bhabua in Criminal Appeal No. 02 of 2018 acquitting the Respondent No. 2, Neeraj Singh, of all the charges.

2. The petitioner herein is complainant/victim of the Criminal Complaint filed by her under Section 498-A of the Indian Penal Code against the Respondent No. 2, Neeraj Singh.

3. I find that the present Criminal Revision is not



maintainable in view of **Suman Devi Vs. State of Bihar and Anr.**, decided by this Court in **Criminal Revision No. 383 of 2019** as reported in **2025 SCC OnLine Pat 1862/MANU/BH/0406/2025/AIROnline 225 PAT 224.**

4. In Suman Devi case (supra), this Court has exhaustively dealt with the issue regarding right of victim to file Appeal under Proviso to Section 372(2) Cr.PC. and held that in view of Proviso to Section 372(2) Cr.PC., the victim has always remedy to file Criminal Appeal against the judgment of acquittal of the accused and in view of such availability of the remedy to the victim, Criminal Revision is hit by Section 401(4) Cr.PC. However, it has been held that the Court has liberty to convert the present Criminal Revision petition into Criminal Appeal and treat the same accordingly and decide it on merit.

6. Hence, the present Criminal Revision petition is liable to be dismissed on account of maintainability.

7. However, in view of the legal Provisions, this Court has right to direct conversion of the present Criminal Revision Petition into Criminal Appeal.

8. Accordingly, the present Criminal Revision petition is converted into Criminal Appeal.

9. Office is directed to do necessary correction in the



present Criminal Revision petition and list the Appeal before appropriate Bench after obtaining necessary permission of Hon'ble the Acting Chief Justice.

(Jitendra Kumar, J)

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