



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

258

CRR-2222-2024

Date of decision: 17.11.2025

SMT. PUSHPA DEVI

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Ekteshwar Sidhu, Legal Aid Counsel
for the petitioner.

Mr. Vivek Chauhan, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition had been filed against the order dated 24.05.2023 whereby charges had been framed against the petitioners for commission of offences under Section 323 and 506 of the IPC in case bearing FIR No. 275 dated 04.07.2022 registered at Police Station Gadpuri, District Palwal by the Court of Judicial Magistrate, 1st Class, Palwal in case bearing No. CHI/1216/2022. The instant revision petition had been filed after a delay of 442 days.

2. The matter came up for hearing on 08.11.2024, wherein this Court specifically recorded its observation that the revision was to be preferred before the Court of Sessions as per Section 401 Cr. P.C. at the first instance. The matter was adjourned as there was no appearance on behalf of the petitioner. The position remains the same today as well.

3. No purpose is likely to be served by keeping the present petition pending for appearance of the Counsel. Accordingly, Mr. Ekteshwar Sidhu, Advocate, Enrollment No. PH-4797/24, Mobile No. 7986830857, who is present in the Court, is appointed as the Legal Aid Counsel to represent the case on behalf of petitioner to arrive at a decision.

4. He has gone through the case file and submits that the Court has not taken into account the evidence that was available on record and has framed the charge against the petitioner. She had been falsely implicated in the present case, which can be seen from the fact that there were several disputes/litigation *inter se* amongst the parties. There was thus a motive to falsely implicate the petitioner. The details of the civil litigation between the parties have been mentioned in Para No.4 of the petition. He further contends that even though the complainant has alleged that she had been beaten by the petitioner by a stick as well as kick blows, however, the said allegations are falsified as the medico legal report did not corroborate this version. Therefore, further investigation in the matter is required.

5. He, however, is not in a position to dispute that as per Section 401 Cr. P.C. an order passed by the Magistrate would be revisable before the Court of Sessions and that the revision petition was maintainable in the Court of Sessions.

6. In view of the above, the present petition is disposed of at this stage, with liberty to the petitioner to file a revision before Court of Sessions, if so advised. The period spent before this Court shall be condoned in such an eventuality.

7. Ordered accordingly

8. A copy of this order be sent to the High Court Legal Service Committee for information and necessary action.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 17, 2025
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No