HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Revision No. 849 of 2026

Sarojbala .....Revisionist

Versus

State of Uttarakhand and Another .....Respondents

Present:-
Mr. Nalin Saun, Advocate for the revisionist.

Hon'ble Ravindra Maithani, J. (Oral)

The challenge in this revision is made to the order dated 14.09.2026, passed in Special Sessions Trial No.04 of 2026, State v. Smt. Sarojbala, by the court of Special Judge SC/ST (Prevention of Atrocities) Act/V Additional Sessions Judge, Dehradun ("the case"). By it, an application filed by the revisionist for discharge has been rejected.

2. Heard learned counsel for the revisionist and perused the record.

3. The case is based on a charge sheet submitted against the revisionist under Section 3(1)(u) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and Section 196(1) of the Bhartiya Nyaya Sanhita, 2023, which is based on an FIR lodged by the respondent no.2/the informant against the revisionist. According to the FIR, the revisionist has been making derogatory statements against the Jaunsari women. In the case, an application for discharge was filed by the revisionist on the ground that the respondent no.2 does not belong to Scheduled Tribes community.

Therefore, the revisionist may be discharged. It is this application, which has been dismissed by the impugned order.

4. Learned counsel for the revisionist submits that the informant does not belong to Scheduled Tribes community; the revisionist has no quarrel with the informant; on what basis the informant lodged the FIR, it is not clear.

5. Learned State Counsel submits that the informant belongs to the Scheduled Tribe community and the application for discharge filed by the revisionist has rightly been rejected.

6. Whether the revisionist had any quarrel with the informant or not, that is not material at this stage. There are allegations against the revisionist that she has been posting derogatory remarks against the Jaunsari women on social media platforms and otherwise also. The informant lodged the FIR that he belongs to Jaunsari community.

7. In para No.5 of the impugned order, it is recorded that there is a certificate issued by the competent authority that the informant belongs to the Scheduled Tribes community, and beyond that the impugned order records, could not be seen at that stage. This observation made in the impugned order is in accordance with law. There is no merit in this revision. Accordingly, it deserves to be dismissed at the stage of admission itself.

8. The revision is dismissed *in limine*.

(Ravindra Maithani, J)
26.11.2026

Ravi Bisht