

Sukhdev Prasad Verma Vs. Pappan Khan @ Sheikh Ameen and ors.

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SooperKanoon Citation : sooperkanoon.com/504524

Court : Madhya Pradesh

Decided On : May-26-2003

Reported in : 2003(3)MPHT362; 2003(4)MPLJ11

Judge : Shantanu Kemkar, J.

Acts : Code of Criminal Procedure (CrPC) , 1974 - Sections 319, 397 and 401;
Indian Penal Code (IPC) - Sections 306

Appeal No. : Criminal Revision No. 502/2003

Appellant : Sukhdev Prasad Verma

Respondent : Pappan Khan @ Sheikh Ameen and ors.

Advocate for Def. : Hemant Chouhan, Adv.

Advocate for Pet/Ap. : K.P. Kushwaha, Adv.

Disposition : Criminal revision dismissed

Judgement :

ORDER

Shantanu Kemkar, Vacation J.

1. Heard Shri K.P. Kushwaha, learned Counsel for the applicant on the question of admission.

2. By filing this revision under Section 397/401 of the Code of Criminal Procedure the petitioner complainant has called in question the order dated 4-4-2003 passed in Sessions Trial No. 186/2001 by Vth Additional Sessions Judge, Rewa rejecting the application under Section 319 of the Cr.PC for arraying Pappan, Sharda Pasi, Nasim Khan Ramesh Kevat as accused.

3. The prosecution case as has been observed by the Trial Court is based upon the suicidal note of Sanno. In the suicidal note there is no allegation against these persons so as to include them as accused for commission of offence under Section 306 of the IPC. The Trial Court has considered the evidence recorded during the trial and has found that there is no enough material to show that these persons were involved in any manner regarding commission of offence and there is no indication in the suicidal note about any threat being given by these persons resulting in commission of suicide by the Sanno. The Trial Court has duly considered the evidence on record and reached to the correct conclusion that there is no ground or material to implead the aforesaid persons as accused and therefore has rightly dismissed the application filed under Section 319 of the Cr.PC.

4. This Court finds no ground to interfere in the revisional jurisdiction in the impugned order dated 4-4-2003 passed by the Trial Court and hence this revision is dismissed summarily.