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Sub. Category Code 1429

IN THE HIGH COURT OF JUDICATURE : AT JABALPUR.

CRIMINAL REVISION NO. 1157/1998.

1. Prahlad Singh son of Nagarmal Bansal,  
aged 50 years,
2. Ajay Kumar son of Kishanchand Bansal,  
aged 22 years,
3. Anil Kumar son of Kishanchand Bansal,  
aged 28 years,

All Residents of Manendragarh Road,  
Ambikapur, Police Station Ambikapur,  
District Surguja (MP).

.... APPLICANTS.

Vs.

Rto. A. R.

State of Madhya Pradesh

.... NON-APPLICANT.

CRIMINAL REVISION UNDER SECTION 397/  
401 OF THE CODE OF CRIMINAL PROCEDURE.

.....

15706  
Filed on 8-10-98.  
by Shri S. Datt  
Advocate

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CRIMINAL REVISION NO. 1157 OF 1998

Prahlad Singh and two others

Vs.

The State of Madhya Pradesh

O R D E R

The applicants are aggrieved by the order dated 4.8.1998, passed by the First Additional Sessions Judge, Ambikapur, framing charge against them for an offence punishable under section 506-B of the Indian Penal Code.

2. Learned counsel for the applicants urged that there was no evidence on record to base such a charge, and that the charge was vague.

3. Counsel for the State supported the order stating that the evidence of the prosecutrix and her land-lady was sufficient to make out a prima facie case, and the threats continued to be given for a long duration. No specific date could, therefore, be given and the charge did not suffer from any defect.

4. Having heard counsel for both sides and having perused the documents on record, we are of the view that this petition must be dismissed. The proceedings commenced on the written report of the prosecutrix lodged at Police-Station Ambikapur. There are specific allegations of criminal intimidation by the applicants. The allegations were repeated in her statement recorded

by the Police. And there is evidence of her land-lady also on the same point. At the stage of charge, Courts are required to see only whether a prima facie case exists. They are not expected to analyse the evidence in detail at that stage. And looking to the material on record, it cannot be said that there is no prima facie evidence in this case. Looking to the continuing nature of the offence the charge also cannot be said to be vague.

5. This revision petition is, therefore, dismissed.

Sd/-  
JUDGE

86-2-1999