

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3044 of 2015

JUDGMENT:

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1. This Criminal Revision Case is filed by the petitioner-de facto complainant aggrieved by the order dated 21.5.2015 passed in Criminal Appeal No.109 of 2013 by the Additional District & Sessions Judge, Vikarabad, Ranga Reddy District.

2. The case of the prosecution is as follows:

The marriage of P.W.1 was performed with A1 on 6.2.2003 at MPT function hall Tandur. At the time of marriage, her parents gave two lakhs cash, 16 ½ tulas gold, furniture and other household articles to A1 to A4 on the demand made by them. About 5 to 6 days after marriage, A1 to A4 started harassing P.W.1 physically and mentally by demanding to bring additional dowry of Rs.2 lakhs, a colour T.V., a Refrigerator and other articles. Four months after their marriage, P.W.1 got Government teacher post at Peddemul village. As per decision of the elders, P.W.1 along with her husband A1 started living at Tandur. A1 to A4 continued to harass her physically and mentally for the said additional dowry. As she did not get additional dowry, A1 demanded to give divorce so that he would go for another marriage. A1 to A4 threatened P.W.1 with dire consequences by saying that they would kill her, if she does not give divorce to A1. On 27.5.2010 at about 5.30 hours while P.W.1 was proceeding to railway station to go to Miyapur on her official work, and when she came out from her house, all of a sudden A1 to A4 attacked her by saying that "Champai Lanjenu, Peeda Pothundi". When her brother and her father came to rescue her, A1 to A4 beat and pushed them. Their neighbours came and rescued them. A1 to A4 threatened them by saying that they would kill them, if P.W.1 does not give divorce to A1. P.W.1 lodged the

complaint before the police and basing on the said report, FIR was registered against the accused. After completion of the investigation, the investigating officer filed the charge sheet for the offence punishable under Sections 498-A and 506 IPC. The learned Magistrate took cognizance of the same and numbered it as C.C.No.173 of 2010.

3. During the course of trial, P.Ws. 1 to 7 were examined and Exs.P1 and P2 were marked on behalf of the prosecution. D.Ws.1 and 2 were examined and Exs.D1 to D7 were marked on behalf of the accused.

4. On appreciation of oral and documentary evidence, the trial Court having found the accused not guilty, acquitted them. Aggrieved by the same, the petitioner-de facto complainant filed Crl.A.No.109 of 2013 before the Additional District and Sessions Judge, Vikarabad. The learned Additional District and Sessions Judge dismissed the appeal. Hence, the petitioner-de facto complainant filed this revision.

5. Earlier, whenever this matter was taken up, the learned Counsel for the petitioner sought for adjournment. This matter was adjourned several times at his request. Today, the learned Counsel for the petitioner brought to the notice of this Court that he has given up no objection to the petitioner to engage other Counsel. From this, it is apparent that the intention of the petitioner is only to drag on matter in order to harass the respondents-accused.

6. Coming to the case on hand, both the Courts below gave concurrent findings. In the case of concurrent findings, unless and until there is any irregularity or illegality in the judgment of acquittal, the question of adjudicating the matter on factual aspects does not arise. A perusal of the judgments of both the Courts below goes to show that the Courts below appreciated the entire material and

evidence in a proper perspective. Apart from that, the material on record coupled with the evidence does not point out any guilt of the accused. Therefore, the judgment under revision does not warrant any interference by this Court and the revision is liable to be dismissed.

7. Accordingly, the Criminal Revision Case is dismissed. Consequently, the miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

Dated: 31st December, 2015

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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