

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
CRIMINAL REVISION APPLICATION (AGAINST CONVICTION) NO. 294 of
2017**

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JITENDRASINH GOBARJI CHAVDA....Applicant(s)

Versus

STATE OF GUJARAT....Respondent(s)

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Appearance:

MR MAHESH K POOJARA, ADVOCATE for the Applicant(s) No. 1

PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE A.G.URAIZEE

Date : 03/04/2017

ORAL ORDER

1. Mr. Mahesh Pujara, learned advocate for the applicant submits that solitary incident does not constitute an offence under Section 498(A) of the Indian Penal Code.

2. He further submits that as such there was no dispute between the applicant and his wife, but, as he wanted to go to Moresiyas and wife i.e. the original complainant did not wish that he will go to Moresiyas. The false complaint was filed. He wants to convince the Court from the deposition of the witness that the offence under Section 498(A) cannot be said to have been committed by the applicant. More particularly, when the mother-in-law and brother-in-law of the complainant are

acquitted by the Courts below.

3. The Revision Application cannot be pressed into service as a matter of right. Appreciation of evidence is not permissible in Revision Application. Still, however, afford an opportunity to the learned advocate for the applicant.

S.O. to 6th April, 2017.

(A.G.URAIZEE,J)

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