



2026:AHC:95841

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 961 of 2026

Ashok Kumar And Another

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Raj Narayan
Counsel for Opposite Party(s)	:	Abhishek Misra, G.A.

Court No. - 85

HON'BLE MANOJ BAJAJ, J.

Petitioner- Ashok Kumar has filed this revision petition to challenge the impugned order dated 19.12.2025 passed by Judicial Magistrate, Mathura in Case No.29017 of 2022, titled *State vs. Ashok Kumar and others*, arising out of Case crime No.0014 of 2022, under Sections 420 467, 468, 471 & 120-B IPC, registered at Police Station Govind Nagar, District Mathura, whereby his discharge application under Section 239 Cr.P.C has been dismissed.

No one has appeared on behalf of the petitioner- Ashok Kumar.

A reading of the discharge application dated 16.06.2025 would show that petitioner- Ashok Kumar prayed for discharge on the ground that it is the co-accused Suman Rani, who had relied upon a forged transfer certificate issued by Mahaur Vaisya Junior High School, Mathura showing her to be the daughter of Late Purushottam Das, and by setting up a plea of valid adoption, she claims her right to inheritance of property left behind by Late Purushottam Das, and complainant also claims himself to be validly adopted son of Purushottam Das. According to the accused petitioner, he is being implicated only on the ground of criminal conspiracy being brother of Suman Rani, but the said application has been dismissed vide order dated 19.12.2025.

A perusal of the order dated 10th February, 2026 would show that the revision petition was originally filed by Ashok Kumar along with his sister Suman Rani, but giving up the claim of discharge on behalf of Suman Rani, he prayed for amendment in the memo of parties by deleting her name as petitioner, and instead impleaded her as opposite party no.3.

Since, the impugned order dated 19.12.2025 is revisable, and the statute has conferred the concurrent jurisdiction of revision with the court of sessions as well as the High Court, but in the considered opinion of this Court, ordinarily a litigant must avail the remedy of revision before the court of sessions, and only under exceptional circumstances, the revisional jurisdiction of this Court can be invoked.

Considering the nature of the case, which is based on documentary evidence, this Court does not find any exceptional ground to entertain the revision petition straightway before this Court.

Thus, it is ordered that in case, the revisionist- petitioner files the revision petition before the Court of Sessions within next three weeks, the same shall be decided on merits without going into the issue of limitations.

The revision petition is disposed of.

(Manoj Bajaj,J.)

April 28, 2026
Raj