



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 8268 of 2025

Saraswati Devi

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Puneet Kumar
Counsel for Opposite Party(s) : G.A.

Court No. - 85

HON'BLE MANOJ BAJAJ, J.

Learned counsel for the petitioner submits that as per the allegations in the F.I.R. the victim was assaulted by the brothers, namely, Ramlakhan and Shivilakhan. Though an allegation of exhortation by the mother is alleged, but her presence at the place of occurrence was never mentioned by the eye-witnesses, namely, Vimlesh or by Rachna (niece of the complainant), who arrived at the spot after the commission of the crime.

Learned counsel has further argued that the evidence of PW-1-complainant and Rachna is apparently deficient for the exercise of powers under Section 319 Cr.P.C., despite that the trial court has exercised its jurisdiction by summoning the petitioner as an additional accused.

Issue notice to the opposite party no2 returnable on 12.05.2026, as fresh.

Meanwhile, the operation of the impugned order dated 22.07.2025, passed by Additional Sessions Judge/Fast Track Court No.2, Fatehpur in Sessions Trial No.526 of 2023, titled *State Vs. Ramlakhan*, arising out of Case Crime No.53 of 2023, under Sections 302, 34, 504 and 506 I.P.C., registered at Police Station Kishanpur, district Fatehpur, shall remain stayed, solely qua the petitioner.

(Manoj Bajaj,J.)

April 6, 2026

R./