



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL REVISION No. - 7807 of 2025**

Ram Kumar Sharma

.....Revisionist(s)

Versus

State Of U.P. And 2 Others

.....Opposite  
Party(s)

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|-------------------------------|---------------------------|
| Counsel for Revisionist(s)    | : Sanjai Srivastava       |
| Counsel for Opposite Party(s) | : Anand Pati Tiwari, G.A. |

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**Court No. - 85**

**HON'BLE MANOJ BAJAJ, J.**

1. Learned counsel for the petitioner submits that though material injured witness has named participation of opposite party No.2-Kailash and opposite party No.3-Jay Kumar in commission of crime against human body, thereby injuring Ram Kumar, Raj Kumar and Kaushal, but the Investigating Officer exonerated them on the ground that their mobile locations were not found at the place of occurrence.

2. Learned counsel for the petitioner while referring to the testimony of witnesses examined during trial contended that it is specifically mentioned that Kailash and Jay Kumar were also present at the place of occurrence, therefore, the application of the petitioner-complainant under Section 358 B.N.S.S.(319 Cr.P.C.) has been wrongly dismissed vide impugned order dated 19.8.2025.

3. During course of hearing, it is fairly stated by the learned counsel for the petitioner-complainant that cross case was also registered at the instance of accused persons, but copy of the same has not been placed on record of the case.

4. Learned counsel appearing on behalf of opposite party Nos. 2 and 3 also conceded that the cross case is also pending.

5. Put up this case on 12.5.2026 as fresh.

6. Meanwhile, the details and particulars of the cross-case be placed on record.

**April 6, 2026**  
P.P.

**(Manoj Bajaj,J.)**