

(2018) 04 CHH CK 0127

In the Chhattisgarh High Court

Case No : Criminal Revision No.961 of 2017

Yogeshwar Appellant @Hash State Of Chhattisgarh

Date of Decision : 11-04-2018

Acts Referred:

Code of Criminal Procedure, 1973 — Section 125

Citation : (2018) 04 CHH CK 0127

Hon'ble Judges : ARVIND SINGH CHANDEL

Bench : Single Bench

Advocate : Bulbul Agrawal, Suresh Verma

Final Decision : Dismissed

Judgement

1. Heard on I.A. No.1 of 2017 for condonation of delay of 1966 days in filing the revision.

2. Perused the record with due care.

3. The instant revision has been preferred against the order dated 14.11.2011 passed by the Family Court, Bilaspur in M.Cr.C. No.376 of 2011,

whereby the application under Section 125 of the Cr.P.C. has been rejected.

4. The revision is barred by 1966 days.

5. Learned Counsel appearing for the Applicant submits that the Applicant is an illiterate lady and she is ill for long time due to which she could not

prefer the revision in time and, therefore, she prays that the delay in filing the revision may be condoned.

6. On the other hand, Learned Counsel appearing for the Respondent submits that after dismissal of the application under Section 125 of the Cr.P.C.,

suppressing the dismissal the Applicant again filed another application, being M.Cr.C. No.680 of 2016 under Section 125 of the Cr.P.C. which was

also dismissed vide order dated 9.3.2017 by the Family Court, Bilaspur. Against

the said dismissal, she moved a revision petition, being Criminal Revision No.601 of 2017 before this Court which was dismissed vide order dated 10.8.2017. He further submits that the delay in filing the present revision petition has not been properly explained.

7. The ground taken for condonation of delay of 1966 days is that the Applicant is an illiterate and ailing woman. In support of her illness, a report of ultra sonography dated 22.1.2013, one prescription slip of Dr. Deshkar dated 22.5.2014 and blood and urine test report dated 26.2.2015 have been submitted.

8. The present revision was filed on 26.9.2017. There is no document to show that the Applicant was suffering from a disease for which she was under continuous treatment. In my opinion, the delay in filing the present revision has not been properly explained. Therefore, I.A. No.1 of 2017 for condonation of delay is dismissed.

9. In the result, the instant revision is also dismissed.

10. Record of the Court below be sent back along with a copy of this order.