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**(1997) 07 AHC CK 0002**  
**In the Allahabad High Court**  
**Case No : Criminal Revision No. 1404 of 1984**

Zarif Ahmad

APPELLANT

Vs

State of U.P. and Another

RESPONDENT

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**Date of Decision :** 25-07-1997

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 200, 202, 397

**Citation :** (1997) 21 ACR 1007

**Hon'ble Judges :** R.K. Singh, J

**Bench :** Single Bench

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## Judgement

R.K. Singh, J.—None responds even on the revised list. This revision petition has become more than 13 years old, so it is not proper to pass over. Taken up for consideration and decision on the basis of evidence on record. Perused the impugned order dated 16th May. 1984 passed by the 2nd Additional Munsif Magistrate, Amroha, district Moradabad in Criminal Case No. 114 of 1984. By the impugned order, the learned Magistrate has summoned the accused persons-- revisionists to stand trial.

2. This Court of Munsif Magistrate is directly subordinate to the Court of the Sessions Judge, Moradabad. The jurisdiction to hear the revision petition against the order passed by the courts subordinate to the Court of Sessions Judge, Moradabad, has been vested u/s 397, Code of Criminal Procedure with the Sessions Judge himself. No reason has been disclosed in the revision petition to justify how the revisionist has approached the High Court bypassing the Court of Sessions Judge. Moradabad. Accordingly, the revision petition is misconceived.

3. After going through the impugned order, it is clear that the learned Munsif Magistrate after considering the complaint u/s 200, Code of Criminal Procedure and the statements recorded during the enquiry u/s 202, Code of Criminal Procedure has found a prima facie case to summon the accused persons. The impugned order does not suffer from any illegality or improperly. The revision petition does not disclose merit and the same is accordingly dismissed.