

Court No. - 10

Case :- CRIMINAL REVISION No. - 739 of 2022

Revisionist :- Naasir And Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home And Anr.

Counsel for Revisionist :- Praveen Kumar Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh,J.

1. Notice on behalf of respondent no. 1 has been accepted by Sri Vipul Gupta, learned A.G.A.

2. Issue notice to respondent no. 2 returnable at an early date.

3. Let the steps be taken by the learned counsel for the revisionists for service of notice on respondent no. 2 within two days.

4. Four weeks' time is allowed to learned counsel for the respondents to file Counter Affidavit.

5. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.

6. List this case after six weeks.

7. The revisionists are two real brothers and their father. The allegation against them is that the father remained outside the house guarding while he asked his two sons to commit rape on respondent no. 2, a 27 years old married woman, having three children.

8. It is unbelievable that a father would encourage his two sons to commit rape on a married woman and two real brothers would commit rape one by one with a married woman, having three children.

9. Prima-facie, the story set up by the prosecution does not appeal to conscience of this court.

10. In view thereof, I find it appropriate to stay the further proceedings and therefore, it is provided that till the next date of listing of this case, the proceedings of Sessions Trial No. 410 of 2022 (State Vs. Naseer & Others) in Case Crime No. 0212 of 2019, under sections 504,506,376-D, 120-B

I.P.C,. Police Station-Raniganj, district-Pratapgarh, shall be kept in abeyance.

Order Date :- 21.7.2022

AKS