

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPEAL NO.280 OF 1999

[Banobee w/o Babbu Garve .vs. Babbu Hiru Garve and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : A.R. JOSHI, J.

DATED : FEBRUARY 02, 2015.

None present for the appellant-original complainant.
Learned Advocate Mr. Kaplay represents the respondents-
acquitted accused. Apparently, State of Maharashtra is not made
a party in the present matter.

Though the present matter is filed earlier before this
court and was accepted as an appeal challenging the judgment
and order of acquittal of the respondents for the offences
punishable under sections 323 and 498-A of the Indian Penal
Code, there was no appeal preferred by the State, as the acquittal
of the respondents was in a police case on the complaint lodged
by the present appellant. In fact, there is no such provision of
preferring appeal, at least still the amendment to Section 372 of
the Code of Criminal Procedure, by the victim, is provided. In
any way, the present matter is required to be treated as a revision
or a petition under Section 482 of the Code of Criminal
Procedure. However, none present for the appellant-original
complainant, who had preferred this matter challenging the
order of acquittal of the present respondents.

As per earlier order of this court dated 13.1.2014, by
consent the matter was fixed on 27.1.2014. On said adjourned
date, time was asked on behalf of the respondents. Thereafter,

none remain present and the matter is taken today. As such, considering the scope of intervention not being an appeal and considering that none present from the complainant's side, the matter is dismissed for want of prosecution and accordingly disposed of.

[A.R. JOSHI, J.]