

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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CRIMINAL REVISION CASE No.307 OF 2015
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ORDER:

Heard the learned counsel for the petitioner, the learned Public Prosecutor appearing for the State and the learned counsel appearing on behalf of unofficial respondents.

2. Assailing the order dated 13.03.2014 passed in R.C.No.169 of 2014 in Crime No.296 of 2012 by the IV Additional Chief Metropolitan Magistrate, Hyderabad, the present revision is filed.

3. The only ground urged by the petitioner is that no notice was given to him inviting objections before accepting the final report in spite of giving number of adjournments.

4. Learned Public Prosecutor is unable to produce any record to show as to whether any notice was served on the petitioner herein.

5. A perusal of the order under challenge indicates that the informant was not present before the Court in spite of issuance of notice. But, the learned counsel for the petitioner submits that no notice was served on the petitioner. A perusal of copy of notice given under Form 96 shows that the same does not contain any date and also the purpose for which the case was referred.

6. Having regard to the said circumstances, the order under challenge is liable to be set aside.

7. Accordingly, the Criminal Revision Case is allowed setting aside the order dated 13.03.2014 passed in R.C.No.169 of 2014 in Crime No.296 of 2012 by the IV Additional Chief Metropolitan Magistrate, Hyderabad. The petitioner as well as the respondents present shall take this as a notice and shall appear before the trial Court on

18.04.2016 and the Court shall proceed in accordance with law.

JUSTICE C. PRAVEEN KUMAR

Date:15.03.2016
INL