

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1997 OF 2004

ORDER:

This Criminal Revision Case, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, is filed by the petitioner/complainant challenging the docket order, dated 23.6.2004, in C.C.No.1562 of 2003 on the file of the Additional Judicial Magistrate of First Class, Hyderabad (East and North), Ranga Reddy District whereunder and whereby, the C.C. was dismissed for default by the learned Magistrate.

2. Petitioner herein is the complainant and respondent No.1 is the accused in the said C.C. The offence alleged against respondent No.1 is punishable under Section 138 of the Negotiable Instruments Act, 1881. On 23.6.2004, neither the petitioner nor his counsel was present before the trial Court and there was no representation on his behalf. Hence, the case was dismissed for default. Challenging the same, the petitioner filed this Criminal Revision Case.

3. Heard and perused the material available on record.

4. This Revision Case is not maintainable since the order passed by the trial Court is in the nature of acquittal. Further more, the complaint was instituted otherwise than on a police report.

5. Accordingly, this Criminal Revision Case is dismissed as not maintainable.

6. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

JUSTICE RAJA ELANGO

22.7.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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