

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CRIMINAL REVISION CASE No.826 OF 2012**

**And**

**CRIMINAL REVISION CASE No.873 of 2012**

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**COMMON ORDER:**

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Crl.R.C.No.826 of 2012 and Crl.R.C.No.873 of 2012 are filed by the petitioners (wife and husband) under Sections 397 and 401 of Cr.P.C. challenging the orders dated 11.04.2012 passed in D.V.Appeal No.371 of 2011 on the file of the Court of the VII Additional Metropolitan Sessions Judge, Hyderabad.

Learned counsel for both parties with one voice submitted that the appellate Court has not considered the various aspects urged by both counsel. Both counsel further submitted that the findings recorded by the appellate Court are not in accordance with law. Hence, they requested this Court to remand the matter to the appellate Court for fresh disposal.

Having regard to the submissions made by learned counsel for both parties, I am of the considered view that these are fit cases to remand the matter to the first appellate Court for fresh disposal.

In the result, both the Criminal Revision Cases are disposed of setting aside the orders dated 11.04.2012 passed in D.V.Appeal No.371 of 2011 on the file of the Court of the VII Additional Metropolitan Sessions Judge, Hyderabad. The learned VII Additional Metropolitan Sessions Judge is hereby directed to dispose of the matter within three (3) months from the date of receipt of a copy of this order after affording a reasonable opportunity to both parties and pass appropriate orders in accordance with law. Meanwhile, there shall be interim stay of all further proceedings in D.V.C.No.109 of 2010 on the file of the Court of the I Metropolitan Magistrate at Hyderabad.

Consequently, Miscellaneous Petitions, if any, pending in both  
the Criminal Revision Cases shall stand closed.

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**T.SUNIL CHOWDARY, J**

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Date: 10.06.2016

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