

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1309 OF 2016

ORDER:

This Criminal Revision Case is filed under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.) to set aside the docket order, dated 27.04.2016, passed in C.C.No.1174 of 2015 on the file of the Judicial Magistrate of First Class, at Godavarikhani, whereby the Court below dismissed the complaint for default and for non-payment of process.

Heard and perused the records.

Learned counsel for the petitioner submits that the Court below erroneously dismissed the complaint of the petitioner for default and also for non-payment of process and that the Court below ought to have given time to the petitioner for payment of process. Hence, he prays this Court to set aside the impugned docket order.

Considering the facts and circumstances of the case, this Court is not inclined to interfere with the order of the Court below as the criminal revision case itself is not maintainable and the petitioner is directed to approach the appropriate forum by invoking appropriate provisions. The criminal revision case fails and is liable to be dismissed. The Registry is directed to return the original documents filed along with the criminal revision case.

The Criminal Revision Case is accordingly dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

23.06.2016

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