

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRL.R.C.No.2439 OF 2017

ORDER:

This revision case is filed under Sections 397 and 401 of Cr.P.C questioning the propriety, legality and regularity of the order, dated 26.08.2016 in Crl.R.C.No.17 of 2015 passed by the V Additional Sessions Judge, Bhongir District, Nalgonda enhancing the compensation from Rs.2,000/- to Rs.6,000/- from the date of revision i.e. 13.03.2015.

The only ground urged before this Court by the petitioner is that no notice was served by the revisional Court and that passing order without notice is against the principles of natural justice and requested this Court to set aside the impugned order.

As seen from the material on record, the revisional Court heard only counsel appearing for the 2nd respondent herein setting the petitioner herein ex-parte. Notice was entrusted to the Station House Officer, Pochampally. He did not serve notice and file proof of service before the revisional Court. As such the order passed by the Revisional Court in Crl.R.C.No.17 of 2015 is against the principles of natural justice and the same is liable to be set aside.

Accordingly, the Criminal Revision Case is allowed setting aside the order, dated 26.08.2016 in Crl.R.C.No.17 of 2015 passed by the V Additional Sessions Judge, Bhongir District, Nalgonda and remanded the matter to its file. Since the petitioner filed this revision, the same can be taken as notice in Crl.R.C.No.17 of 2015. The revisional Court is directed to decide the criminal revision case within one month from the date of receipt of a copy of this order affording opportunity to both parties. The petitioner herein is

directed to appear before the revisional Court on 07.11.2017 and no notice need be served on the petitioner herein as this order itself is deemed to be notice.

Miscellaneous petitions, if any, pending in the criminal revision case, shall stand closed.

M. SATYANARAYANA MURTHY J

Date: 25.10.2017

Note: Issue c.c. by 27.10.2017

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