

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.241 of 2017

ORDER:

In view of the detailed orders of this Court in CrI.R.C.No.3272 of 2016 of even date referring to the catena of expressions of the Apex Court settling the law once there is a civil matter pending even after filed Section 145 Cr.P.C. proceedings, the proceedings shall not be continued once civil Court seized of the matter and once civil proceedings are pending, the proceedings under Section 145 Cr.P.C. cannot even be initiated for the civil Court can take care of any dispute. The impugned order of the learned Executive Magistrate, Gudipala, is thereby set aside by relegating the parties to workout the remedies before the Civil Court. It is needless to observe if there is any law and order problem this is not the remedy but for to invoke other provisions of law if any.

Accordingly and in the result, the criminal revision case is allowed.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 22.02.2017
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