

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL APPEAL No.975 OF 2007

JUDGMENT:

This Criminal Appeal, under Section 378(4) of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') is filed by the complainant/appellant challenging the judgment dated 05-01-2007 passed in Calendar Case No.875 of 2005 by the X Metropolitan Magistrate, Cyberabad at Malkajgiri.

Learned counsel for the appellant is present and sought time to advance his arguments.

As per the order dated 02.08.2007, notice was ordered to be served on the 1st respondent/accused by registered post with acknowledgment due and file proof of service; no such proof of service is filed till date. On earlier occasions when the matter was posted on 02.11.2017 and 09.11.2017 it was adjourned to 23.11.2017. On 23.11.2017, when the matter appeared in the cause list, there was no representation on behalf of the appellant and, hence, the matter was posted to this date under the caption 'for dismissal'. As the notice is not yet served on the 1st respondent/accused, it appears that the appellant has no interest to pursue the Appeal. Hence, the Criminal Appeal is dismissed for non-prosecution.

In consequence, miscellaneous petitions, if any, pending in this Appeal, shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 30-11-2017.
DSH

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