

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Criminal Revision Case No.1813 of 2017

ORDER:

This Criminal Revision Case, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, ('the Code') is filed by the petitioner in D.V. Case No.127 of 2016 on the file of the Court of I Additional Chief Metropolitan Magistrate, Vijayawada, having been aggrieved of the docket order, dated 16.11.2016, passed by the learned Presiding Officer of the said Court.

2. I have heard the submissions of *Sri Thota Ramakoteswara Rao*, learned counsel appearing for the petitioner, and of the learned Public Prosecutor appearing for the 1st respondent/ State of Andhra Pradesh.

3. At the hearing, learned counsel appearing for the petitioner submitted that the only grievance of the petitioner is that the trial Court has not adhered to the procedure envisaged under law and is not expediting the disposal of the DV case in accordance with the provisions of the Protection of Women from Domestic Violence Act, 2005. He further submits that the accused/ respondents 2 to 6 are served with summonses and therefore, the trial Court may be directed to dispose of the DV Case in accordance with the procedure established by law, as the Court is required to endeavour to dispose of the case as expeditiously as possible, if not within a time frame envisaged under law.

4. The order, dated 16.11.2016 of the trial Court reads as under:

“Petitioner is present.

Perused the record available and material papers and its enclosures. I find prima facie case against the respondents. Hence, this case is registered as a D.V.C.C.127/16. Issue notices to the respondents through Protection Officer.

Call on 23-2-2017.”

5. It is to be noted that the petitioner having filed this revision assailing the above docket order and having allowed the revision to be pending for this long a period has unnecessarily contributed to the delay in the disposal of the D.V. Case. Had this revision not been filed, there would have been some considerable progress in the matter before the trial Court, by now. Be that as it may, since the present request of the petitioner is only to direct the trial Court to dispose of the case as envisaged under law and as expeditiously as possible, this Court is of the considered view that the revision can be disposed of with appropriate directions.

6. In the result, the Criminal Revision Case is disposed of directing the learned I Additional Chief Metropolitan Magistrate, Vijayawada, to endeavour to dispose of D.V. Case No.127 of 2016, as expeditiously as possible, however, in accordance with the procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed.

05th July 2017
RAR

M. SEETHARAMA MURTI, J

