

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.3350 of 2016

ORDER:

The learned counsel for the petitioner shows India Post track record of the notice is delivered (served) on 14.02.2017 to the 1st respondent to the revision, who called absent with no representation, service held sufficient.

Heard learned counsel for the petitioner and also the learned Public Prosecutor for the State.

Accordingly and in the result, the revision is allowed by setting aside the dismissal order dated 17.08.2016 of the lower Court in CrI.M.P.No.690 of 2016 by allowing the same by condoning the delay of 4 days in filing the criminal appeal before the lower Court against the acquittal judgment of the trial Court in C.C.No.191 of 2015 and also by granting leave under Section 378(4) Cr.P.C. by following the expression of the Apex Court in **Satpal Singh Vs. State of Madhya Pradesh**¹ vis-à-vis the judgment of this Court in CrI.A.No.1043 of 2015 dated 26.02.2014 for quashing the appeal by the lower appellate Court.

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

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 17.03.2017
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¹ 2015 (15) SCC 613