

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL APPEAL No.630 of 2007

JUDGMENT:

Heard learned counsel for the appellant and perused the record.

This Court while admitting this appeal ordered service of notice on the respondent-accused on 19.06.2007. Till date, the notice has not been served on the respondent-accused.

This appeal is filed aggrieved by the dismissal of the complaint by the learned I-Additional Judicial First Class Magistrate, Khammam, on the ground that in spite of several adjournments, the appellant/complainant did not choose to appear, and it was constrained to dismiss the complaint under Section 256 Cr.P.C. and discharged the accused.

It is evident from the record that several opportunities were given by the Court below to the appellant to proceed in C.C.No.410 of 2003. He did not utilize the same. Further, though there is an order to serve notice on the respondent-accused on 19.06.2007, the appellant did not choose to serve notice on the respondent-accused and proceed with the matter. There are grave laches on the part of the appellant. There is no infirmity in the impugned order.

Therefore, the appeal is dismissed.

Dr. SHAMEEM AKTHER, J

9th NOVEMBER, 2017.