

SMT. JUSTICE T.RAJANI

Criminal Appeal No.208 of 2018

JUDGMENT:

Heard the learned counsel for the appellant and the learned Public Prosecutor for the 2nd respondent.

This appeal is preferred by the appellant against the docket order dated 06.12.2017 passed in C.C. No.307 of 2017 by the XXIII Special Magistrate, Hyderabad. By virtue of the said order, the learned Magistrate dismissed the complaint on the ground that the complainant was absent and was no representation on his behalf.

This Court opines that it would be better for any case to be decided on merits and therefore, an opportunity is given to the appellant, to meet the ends of justice.

Accordingly, the appeal is allowed by setting aside the docket order dated 06.12.2017 passed in C.C. No.307 of 2017 on the file of the XXIII Special Magistrate, Hyderabad. However, the appellant shall comply with the order of the Court below and act as directed by it, on the first date of adjournment that would be given by the Court below, after receiving the record, failing which the impugned order shall stand confirmed.

JUSTICE T. RAJANI

Date: 29.01.2018
LSK