

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE No.1536 OF 2006

ORDER:

This revision is filed under Sections 397 and 401 Cr.P.C. challenging the docket order, dated 03.07.2006 in C.C.No.288 of 2004 on the file of the II Addl. Chief Metropolitan Magistrate, Visakhapatnam.

2. There is no representation on behalf of the petitioner-complainant.

3. The revision is of the year 2006. When the matter was listed on 11.04.2018, at request made by the learned counsel for the petitioner, the matter is posted today under the caption 'for final hearing'. Today, there is no representation on behalf of the petitioner.

4. The impugned order, dated 03.07.2006 reads as follows:

"Heard. Complainant was directed to get ready on 3.5.2006, 17.5.2006, 8.6.2006 and lastly on 22.6.2006 by imposing costs of Rs.400/-. The complainant is not getting ready despite direction to attend and commence trial on all the four occasions and thereby causing hindrance for trial. It is represented that the complainant could not attend since his presence is essential at Jammu and Kashmir as construction work is going on. He was given four adjournments mentioned above directing to commence trial and he has been consecutively absence on all the four occasions. I, therefore, hold he is not diligent in prosecuting the case. In the result, the petition is dismissed."

The learned Magistrate while dealing with the subject matter of the revision, had passed the above detailed order assigning reasons. There is no mis-carriage of justice. There is nothing to take a different view. The revision is devoid of merit and is liable to be dismissed.

5. Accordingly, the Criminal Revision Case is dismissed. Miscellaneous petitions, if any pending in this revision shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 16-04-2018

Hsd

