

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.11770 OF 2018

ORDER:

Though, notice sent to the 1st respondent served, she failed to attend. Heard the learned counsel for the petitioner and the learned Public Prosecutor appearing for the State and perused the material on record.

This petition is only seeking a direction for early disposal of the CrI.R.P.No.130 of 2017 pending on the file of the X Additional District and Sessions Judge, Narsapur, West Godavari District.

A perusal of Section 397 Cr.P.C. r/w 399(1) Cr.P.C, the powers of the High Court in deciding the revision contemplated by Section 401 of the powers conferred to the appellate Court under Sections 386 to 392 Cr.P.C. equally apply.

Having regard to the above and from the expression of the Apex Court in Bani Singh v. State of Uttar Pradesh¹, even parties failed to appear or cooperate, the appeals can be decided on merits, the learned Sessions Judge concerned is required by virtue of this order, following the above guidelines, for early disposal of the pending revision, preferably, within three months from the date of receipt of copy of this order.

Accordingly, the Criminal Petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 23.11.2018
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¹ AIR 1996 SC 2439