

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.10986 OF 2017

ORDER:

Heard the learned counsel for the petitioners, who are appellants in Criminal Appeal No.64 of 2017 on the file of the District and Sessions Judge, Vizianagaram, the learned counsel for respondent, who is respondent No.2 in the appeal before the learned Sessions Judge and aggrieved person, and perused the record.

2. The petitioners filed the aforesaid Appeal before the learned Sessions Judge challenging the order dated 18.01.2017 passed in D.V.C. No.24 of 2015 on the file of the Judicial Magistrate of First Class, Salur. When an application under Section 317 Cr.P.C. is filed in the aforesaid Appeal to dispense with personal attendance of the petitioners on 05.10.2017, the learned Sessions Judge dismissed the same and issued non-bailable warrant against the petitioners.

3. In the course of submissions, it is brought to the notice of this Court that inspite of order of the trial Court in the Domestic Violence Case, no amount has been paid to the aggrieved person. But, it is for the aggrieved person to work out remedies available to her under law to enforce the order of the learned Magistrate. It has not been done so far. However, in the circumstances, the learned Sessions Judge shall dispose of Criminal Appeal No.64 of 2017 within a period of two weeks from the date of receipt of a copy of this order. The non-bailable warrant issued against the petitioners on 05.10.2017 is cancelled. Both

parties shall co-operate with the learned Sessions Judge for expeditious disposal of the appeal.

4. With the above direction, the Criminal Petition is, accordingly, disposed of.

Miscellaneous Petitions pending, if any, in the Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

19.02.2018
DRK



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19.2.2018

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