

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.12899 of 2018

ORDER :

Heard before admission and before notice to respondent No.2.

2. The procedure for revision is equally applicable the procedure of appeal from the combined reading of Sections 401 (1) and (2) and 399 Cr.P.C. and as per the Apex Court's expression in **Bani Singh v. State of Uttar Pradesh**¹, the presence of the parties need not be required for hearing the criminal appeal or revision, as the case may be, but for if represented by advocate even otherwise to decide on merits. Hence, the learned Sessions Judge shall follow the said procedure supra and dispose of without insisting personal appearance when represented through advocate.

3. With the above direction, the criminal petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

3rd December 2018.

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¹ AIR 1996 SC 2439