

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL REVISION CASE No.3381`OF 2017

ORDER:

Heard the learned counsel for the petitioner.

This Criminal Revision Case is disposed of at the admission stage as this court, having regard to the facts involved, found no reason to afford notice to the 2nd respondent.

The order dated 24th August, 2017 in CrI.M.P.No.2018 of 2017 in CrI.M.P.No.1828 of 2017 in Criminal Appeal No.8298 of 2017 was passed by the learned Metropolitan Sessions Judge, Hyderabad, which is a cryptic one reading "*Order not complied. Hence petition dismissed.*"

The grievance of the petitioner is that there is no earlier order either in CrI.M.P.No.2018 of 2017 or in any other connected petition which is not complied with by the petitioner. Therefore, absolutely, there was no non-compliance of any order passed by the court and hence, the impugned order dismissing the CrI.M.P.No.2018 of 2017 is not sustainable. This court finds force in the said argument. In the impugned order, it was not mentioned what was the order passed earlier which was not complied by the petitioner. Therefore, the impugned order is not maintainable.

Accordingly, this Criminal Revision Case is allowed and the impugned order dated 24th August, 2017 is set aside and the learned

Metropolitan Sessions Judge, Hyderabad is directed to hear petitioner and pass an order on merits afresh.

As a sequel, miscellaneous applications pending if any, shall stand closed.

JUSTICE U.DURGA PRASAD RAO

Dated 19th February, 2018

Note:

Issue CC tomorrow.

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Dvs



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