

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL APPEAL No. 1390 of 2009

JUDGMENT:

Aggrieved by the docket order, dated 01.06.2007 passed in S.T.C.No.45 of 2005 on the file of the Judicial First Class Magistrate, Bodhan, the present Criminal Appeal has been filed by the State, wherein and whereby the complaint filed by the State was dismissed since there was no representation for the complainant.

Heard and perused the record.

As seen from the grounds of appeal, no ground whatsoever has been assigned by the appellant as to whether the appellant/complainant was due diligent prior to the date of dismissal of the complaint. There is no documentary evidence to show that the appellant/complainant was diligent in prosecuting the case on the previous occasions. Learned Counsel for the respondent would submit that without there being any ground, the present appeal is not maintainable. Absolutely there is no material available on record to entertain the appeal filed by the appellant/complainant and as such the same is liable to be dismissed.

Accordingly, the Criminal Appeal is dismissed.

As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

JUSTICE G. SRI DEVI

22.03.2021
gkv



