

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CRIMINAL REVISION CASE No.454 OF 2015**

**ORDER:**

The present Criminal Revision is filed under Sections 397 and 401 Cr.P.C. against an office objection dated 02.12.2015 raised in C.C. (SR) No.534 of 2015 on the file of VII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

The petitioner herein filed a private complaint against the accused for an offence punishable under Section 138 of the Negotiable Instruments Act. The averments in the complaint shows that the accused issued a cheque bearing No.265010 for Rs.15,00,000/- drawn on Axis Bank Ltd., Dilsukhnagar, Hyderabad. The same, when presented, was returned due to "insufficiency of funds". In view of the law prevailing then the petitioner herein filed a private complaint before the Court of Additional Judicial First Class Magistrate at Addanki. But, the said complaint was returned by the said Court in view of the judgment of the apex Court in **Dashrath Rusingh Rathod v. State of Maharastra and another**, but liberty was given to the petitioner to present the complaint before the appropriate court within 30 days from the date of return. In view of the said order, the petitioner herein presented the complaint before the Court of VII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. But the same was also returned in view of the Judgment of the Supreme Court in **SLP Appeal (Crl.) 134 to 170/15 dated 13.01.2015**. Aggrieved by the same, the present Revision is filed.

When the matter is taken up for hearing, the learned counsel for the petitioner sought permission to withdraw the Revision with a liberty to represent the complaint before the appropriate court explaining the objections raised.

Permission as sought for is accorded.

Accordingly, the Criminal Revision Case is disposed of.

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**C. PRAVEEN KUMAR, J**

Date: 24.03.2015

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