

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2120 OF 2014

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ORDER:

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The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 01.09.2014 passed in M.P.No.3913 of 2014 in C.C.No.476 of 2007 by the

XIII Additional Metropolitan Magistrate (Mahila Court), Hyderabad, whereby the learned Judge dismissed the petition filed by the petitioner under Section 91 of Cr.P.C., to call for the records in L.A.C.No.231 of 2002 from the Legal Aid Centre Women, Andhra Mahila Sabha, Hyderabad and also records from Maragadarshini Family Counselling Centre, Feelkhana, Hyderabad.

Heard and perused the material available on record.

The grievance of the petitioner herein is that in view of the dismissal of the petition to call for the records from the Legal Aid Centre Women, he could not able to substantiate the fact that there was a counselling between himself and the *de facto* complainant in connection with the matrimonial dispute. Further, it is contended by the learned counsel for the petitioner that during the time of counselling, the *de facto* complainant refused to join with the petitioner herein, who is the husband of the *de facto* complainant.

The Court below after perusal of the entire records and hearing the arguments dismissed the petition filed by the petitioner on the ground that though there is a counselling between the petitioner herein and the *de facto* complainant before the Andhra Mahila Sabha, the same was done in the year 2002 and that the present complaint is lodged in 2004. Further, the production of such documents and calling for the records from the Andhra Mahila Sabha will not improve the case of the petitioner and that the petitioner has not even suggested that in Andhra Mahila Sabha, the *de facto* complainant admitted that she is not willing to join with the petitioner herein.

This Court is of the view that the Court below has rightly dismissed the

petition filed by the petitioner seeking to call for the records from Andhra Mahila Sabha and this Court is not inclined to interfere with the order passed by the Court below. The impugned order is in accordance with law and needs no interference by this Court.

The Criminal Revision Case is accordingly dismissed. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

10.06.2015

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