

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5146 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the order, dated 25.01.2016, passed in CrI.M.P.No.215 of 2015 in M.C.No.51 of 2012 on the file of the Court of the XII Additional Sessions Judge-cum-Judge, Family Court, Guntur, whereby the Court below allowed the petition filed by the respondents 1 and 2 seeking summons for production of the documents in the custody of the petitioner herein.

Heard and perused the material available on record.

The documents, which are sought to be produced by the petitioner herein, are as follows.

1. Form No.16 with Income Tax details.
2. PAN Card
3. Aadhaar Card, Driving Licence
4. Passport (Complete photocopy)
5. Income Tax Returns submitted by the respondent from 2012 onwards to till date.
6. Bank Statements from all Bank accounts of the respondent including the bank accounts in which salary has been depositing from 2012 onwards to till date.
7. Current locality of residence with complete address (Government/company address proof)
8. All insurance policies of the respondent and his dependents to whom the respondent is paying policy amounts from 2012 onwards to till date
9. All credit card statements of respondent from 2012 onwards to till date
10. All vehicles details including vehicle loan amounts paid and have been paying by the respondent from 2012 onwards to till date
11. All movable and immovable assets details of the respondent and his dependents.

This Court is of the view that the Court below without giving any valid reasons allowed the petition to summon for production of the above documents. Further, the learned Judge observed that if the petitioner herein fails to produce the said documents, adverse

inference will be drawn against the petitioner herein. Hence, the order impugned is not in accordance with law and as such, the same is liable to be set aside and is accordingly set aside.

The Criminal Petition is accordingly allowed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

13.04.2016

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