

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1693 OF 2016

ORDER:

This Criminal Revision Case is filed by the petitioner-accused under Sections 397 and 401 Cr.P.C., challenging the order, dated 06.05.2016, passed in CrI.M.P. No.992 of 2016 in CC No.02 of 2016 passed by the II Special Magistrate, Kukatpally at Miyapur, whereby the learned Magistrate dismissed the application of the petitioner.

The petitioner is accused in CC No.02 of 2016 for the offences punishable under Section 138 of Negotiable Instruments Act. He filed the impugned application before the trial Court to reopen the evidence of PW.1 and to allow him to cross examine PW.1 on some crucial points. The 2nd respondent – complainant opposed the said application. The trial Court dismissed the said application vide order impugned, which reads as under:

“This petition is filed by accused under 311 Cr..C., to reopen the case for further cross examination of PW1. Opposed by Respondent by filing counter. PW.1 is already cross-examined. One what points he wants to cross examine PW.1 are not mentioned. He did not adduce any defence evidence, though sufficient time was granted. Even in 313 examination he did not submit anything, except denying the case of prosecution. The matter is coming for arguments. There are no grounds to allow the petition. Hence, petition is dismissed.”

Challenging the above order, this revision is filed.

Heard and perused the material available on record.

From a perusal of the record, it is evident that the petitioner has not stated any reason to reopen the case and to recall PW.1. Hence, this Court is of the view that the trial Court has rightly dismissed the application of the petitioner and there is nothing to interfere with the order passed by the trial Court.

Accordingly, the Criminal Revision Case is dismissed.
Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

June 30, 2016.
CTL