

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.13387 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. questioning the order dated 09.05.2016 in CrI.M.P.No.1128 of 2016 in C.C.No.353 of 2015 of the Court of the X Special Magistrate at Erramanzil, Hyderabad, whereby the learned Magistrate has permitted the second respondent/*de facto* complainant to file two documents.

2. Heard the learned counsel for petitioners and the learned Public Prosecutor, representing the State.

3. It is evident from the impugned order that comprehensive hearings were advanced both by the second respondent/*de facto* complainant and the petitioners/accused. Several objections were raised with regard to the documents that were proposed to be filed. The learned Magistrate has not gone into any of the contentions raised, but merely stated that the documents are received subject to proof of relevancy and admissibility of documents and the petitioners/accused are at liberty to cross examine the witness. This Court feels that the impugned order is not a reasoned order.

4. In the circumstances, the impugned order is set aside and the matter is remanded to the learned Magistrate to dispose of CrI.M.P.No.1128 of 2016 in C.C.No.353 of 2015

afresh, by passing a reasoned order after putting both sides on notice, within a period of 15 days from the date of receipt of a copy of this order.

5. The Criminal Petition is accordingly allowed. Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL, J

Date: 21.09.2016
TJMR

