

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

CRIMINAL PETITION No.11645 of 2016

ORDER:

The criminal petition is filed against the order dated 12.08.2016 in CrI.M.P.No.1140 of 2015 in CC.No.152 of 2012 on the file of the Court of Judicial Magistrate of First Class, Special Mobile Court, Srikakulam, by and under which, the petition filed under Section 91 Cr.P.C. to summon the Joint Sub-Registrar, O/o. Sub-Registrar, Gopalapatnam to give evidence about the registration of customary divorce deed was dismissed.

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, representing the State.

In view of the facts and circumstances of the case, I feel that the evidence of Joint Sub-Registrar is necessary for effective adjudication of the controversy and therefore the petition is ordered subject to the following conditions;

- i) The petitioner/accused shall deposit process for issuing summons to Joint Sub-Registrar, O/o. Sub-Registrar, Gopalapatnam.
- ii) The petitioner/accused shall deposit Rs.2,000/- into the Court to be paid to the witnesses as and when he is examined.
- iii) The evidence of the proposed witness should be completed on the date he is present.
- iv) The entire process shall be completed within one month from the date of receipt of a copy of this order.

The Criminal Petition is accordingly disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL, J

Date: 09.08.2016
TJMR