

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.2193 of 2016

ORDER:

1) The present revision is filed under Sections 397 read with 401 Cr.P.C. aggrieved by the order dated 10.06.2016 passed in CrI.M.P.No.1466 of 2016 in C.C.No.176 of 2015 on the file of the XIV Additional Judge-cum-XVIII Additional Chief Metropolitan Magistrate, Hyderabad, wherein an application filed under Section 62 of the Evidence Act was rejected.

2) The petitioners herein are accused. The second respondent herein filed a private complaint against the petitioners for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881. During the course of trial the petitioners filed a petition under Section 62 of the Evidence Act seeking marking of portion of Exs.P9 and P11 to prove their case. The learned trial Judge dismissed the said petition. Challenging the same, the present revision is filed.

3) A perusal of the order under challenge would show that PW.1 has already admitted the entries in Exs.P9 and P11 which are already marked on behalf of the complainant. Such being the position, the question of marking of entries in those two documents would not arise again since admitted facts need not be proved. The admissions made by PW.1 can be brought into

the notice of the Court by the petitioners while advancing their arguments. Hence, I see no reasons in the revision.

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

JUSTICE C. PRAVEEN KUMAR

29.08.2016
gkv

