

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CRIMINAL REVISION CASE No.3179 OF 2015**

**ORDER:**

Aggrieved by the order, dated 30.11.2015, passed in Crl.M.P.No.2656 of 2015 in C.C.No.207 of 2015 on the file of Special Magistrate VI, Hyderabad, the present revision is filed under Sections 397 and 401 Cr.P.C.

When the matter came up for hearing on 18.12.2015, it was ordered to be posted after Sankranthi Vacation, 2016. Thereafter, the matter was listed on 23.03.2016. As there was no representation on behalf of the petitioner, it was directed to be listed after a week. On 01.04.2016 also, there was no representation for the petitioner and hence, it was directed to be listed after a week. Thereafter, the matter was listed on 12.04.2016, on which date, it was adjourned to today. Even today, there is no representation on behalf of the petitioner either in the forenoon session or in the afternoon session. It appears that the petitioner is not interested in prosecuting the case.

Apart from that, a perusal of the material placed before the Court would show that the petitioner filed Crl.M.P.No.2656 of 2015, under Section 311 Cr.P.C., to recall PW.1 for further cross-examination. A counter came to be filed opposing the same. After hearing both the parties, the trial Court, by its order, dated 30.11.2015, dismissed the petition.

A perusal of the order under challenge would show that in the main case, written arguments were submitted on behalf of the respondent – complainant on 28.10.2015 and thereafter, the petitioner took time on 02.11.2015, 04.11.2015, 09.11.2015 and 16.11.2015. The order also shows that on 16.11.2015, the petitioner filed a petition under Section 309 Cr.P.C., which was dismissed. As the petitioner failed to submit his written arguments, the case was posted for

judgment on 24.11.2015. At that juncture, the present petition was filed along with a petition for reopening the case for the purpose of further cross-examination of PW.1. The said petition nowhere indicates the purpose for which PW.1 was sought to be recalled. On the other hand, it has to be noted that PW.1 was cross-examined on three occasions i.e., on 12.05.2014, 21.07.2014 and again on 03.07.2015. Therefore, the conduct of the petitioner appears to be to prolong the matter on one pretext or the other. Hence, I do not find any reason to interfere with the impugned order passed by the Court below.

Accordingly, the revision case is dismissed. Miscellaneous Petitions, if any, pending in this revision case, shall stand closed.

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**C. PRAVEEN KUMAR, J**

April 21, 2016  
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