

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.285 of 2016

ORDER

The petitioners preferred the present criminal revision case challenging the order of dismissal dated 07.01.2016 passed in Crl.M.P.No.3602 of 2015 in C.C.No.202 of 2015 by the learned XXV Special Magistrate at Hyderabad.

2. The petitioners/A1 and A2 filed the impugned application under Section 91 Cr.P.C., seeking to issue summons to one Venkateswarlu and direct him to produce the particulars of alleged zero chits of Rs.6,00,000/-. By the order impugned, the trial Court dismissed the said petition holding that there is no relevancy for summoning the witness by name Venkateswarlu, who is the brother of the complainant. Aggrieved by the same, the present revision is filed.

3. Heard and perused the material on record.

4. The petitioners/A1 and A2 are involved in C.C.No.202 of 2015 for the offences punishable under Sections 138 and 142 of Negotiable Instruments Act, 1881. Trial was commenced and the examination of P.W.1 was completed. At that stage, the petitioners filed the impugned application stating that the complainant is alleged to have obtained the disputed cheque from one Venkateswarlu, to whom the first petitioner issued the said cheque at the time of lifting the chit for security purpose. Except the self-serving testimony of petitioners, no material is produced before the Court. Further, the petitioners have not put any suggestion to P.W.1 in his cross-examination, as rightly observed by the trial

Court. Therefore, this Court is of the view that the impugned application is filed only to drag on the proceedings and there is no need to interfere with by this Court.

5. Accordingly, the Criminal Revision Case is dismissed. Miscellaneous Petitions, if any, pending in this revision shall stand dismissed.

JUSTICE RAJA ELANGO

29th January, 2016

sj