

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.12120 of 2016

ORDER:

The grievance of the petitioner/A2 is that the Court below has permitted the *de facto* complainant through the Assistant Public Prosecutor to file documents which are not relevant for adjudicating the issue.

A perusal of the order of the Court below dated 30.03.2016 passed in CrI.MP.No.242/2016 in C.C.No.14790/2003 clearly shows that the Court below after considering the nature of the documents and considering the decision of the Apex Court in *Bipin Shantilal Pashawan v. State of Rajasthan* {reported in AIR 2001 SC 1158}, allowed the petition and permitted to receive the documents in evidence subject to proof and objection to be considered at the time of final hearing.

In view of the above, I find no error or infirmity in the order of the Court below warranting interference. The petitioner/A2 is at liberty to raise any objection when the documents in question are sought to be marked in the evidence on behalf of prosecution.

The Criminal Petition is accordingly dismissed.

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

Date: 19.09.2016
Dsr

M.S.K.JAI SWAL,J