

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1245 of 2014

ORDER:

This criminal petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioner-complainant seeking to quash the order, dated 22.01.2014, in CrI.M.P. No.51 of 2014 in CC No.830 of 2008 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad.

The petitioner filed the impugned application before the Court below seeking to summon four witnesses and to direct them to produce the relevant documents, which were mentioned in the petition. The Court below dismissed the said application through the impugned order. Seeking to quash the said order, the petitioner filed the present petition.

Heard and perused the material available on record.

A perusal of the record discloses that the case is pending from the year 2008 before the Court below. No stay of proceedings before the trial Court was granted by this Court. Learned counsel for the petitioner is not able to inform about the stage of the case before the trial Court. Hence, this Court is inclined to pass the following order:

The petitioner is directed to file a fresh application under Section 311 Cr.P.C., before the Court below for summoning the witnesses, and the trial Court shall consider and pass appropriate orders on the said application in accordance with law, if the case is already not disposed of.

With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 18, 2016.
KTL