

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL REVISION CASE No.1150 OF 2016**

**ORDER:**

This revision is preferred challenging the order, dated 2.3.2016 in CrI.M.P.No.1036 of 2015 in C.C.No.293 of 2015 on the file of the XV Additional Judge – cum – XIX Additional Chief Metropolitan Magistrate, Hyderabad, whereunder and whereby, the learned Magistrate dismissed the application filed by the petitioner/accused for sending Exs.P-1 and P-7 – cheque and promissory note to Hand Writing Expert for comparison with admitted words of the petitioner, was dismissed.

2. The offence alleged against the petitioner is punishable under Section 138 of the Negotiable Instruments Act, 1881. Pending C.C., the petitioner filed CrI.M.P.No.1036 of 2015 and the same was dismissed on the ground that the petitioner is not disputing his signature in Exs.P-1 and P-7, but disputing only the hand writing in the promissory note and cheque and further, the learned Magistrate also observed that the same can be questioned at the time of cross examination. Challenging the same, he filed the present revision case.

3. Heard and perused the material available on record.

4. Considering the facts and circumstances of the case, this Court is of the view that when the signature of the petitioner in Exs.P-1 and P-7 is admitted by him, it is not necessary that the hand writing should also be admitted by him. The petition filed by the petitioner, as observed by the learned Magistrate, is only with an intention to drag on the matter. The learned Magistrate rightly passed the impugned order and that order needs no interference of this Court. Hence, this

Revision Case is liable to be dismissed.

5. Accordingly, the Criminal Revision Case is dismissed.

6. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

**JUSTICE RAJA ELANGO**

8.6.2016

AMD

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

—

—

—

—

—

---

---

—

—

—

—

—

—

—

—

—

—

—

—

—

**CRIMINAL REVISION CASE No.1150 OF 2016**

**Date: 8.6.2016**

# AMD