

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2122 OF 2016

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ORDER:

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This petition is filed by the petitioner-complainant under Section 482 Cr.P.C. challenging the docket order dated 3.2.2016 in C.C.No.1493 of 2013 on the file of the III Additional Chief Metropolitan Magistrate, Hyderabad at Nampally.

Heard and perused the material available on record.

Respondents 2 to 5 are alleged to have committed the offence punishable under Sections 406, 420, 468 and 471 IPC. The main grievance of the petitioner-complainant is that he filed an application before the trial Court under Section 91 Cr.P.C. seeking to summon copy of passport and educational certificate of the 2nd respondent herein to substantiate his claim. But the trial Court refused to receive the said application and compelled the petitioner to adduce evidence.

It is pertinent to note that whenever an application is filed by either of the parties, it is the duty of the Court to receive the same and pass appropriate orders on merits after hearing both the parties. Therefore, the trial Court is directed to receive the application filed by the petitioner under Section 91 Cr.P.C. and pass appropriate orders in accordance with law.

Accordingly, the Criminal Petition is disposed of. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.2.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 19.2.2016

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