

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.10189 OF 2015

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ORDER:

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This Criminal Petition is filed by the complainant under Section 482 of Cr.P.C. seeking to quash the orders dated 28.8.2015 passed by XIII Additional Sessions Judge, Guntur at Narasaraopet in CrI.R.P.No.74 of 2015 and also the orders dated 28.4.2015 passed by the I Additional Judicial First Class Magistrate, Narasaraopet in CrI.M.P.No.1011 of 2015 in C.C.No.217 of 2007.

The facts of the case are that the complainant initiated the proceedings for the offences under Sections 120-B, 406 and 420 IPC and the same was taken on file in C.C.No.217 of 2007 against the accused 1 and 2-respondents 1 and 2 herein. When the matter was coming up for arguments, the complainant-petitioner herein filed CrI.M.P.No.1011 of 2015 under Section 311 Cr.P.C. to recall him (P.W.1) for the purpose of marking indemnity bond dated 27.1.2004. The trial Court dismissed the said petition holding that there was no such plea about the alleged indemnity bond either in the complaint or in the sworn statement of P.W.1. On revision being filed by the petitioner, the XIII Additional Sessions Judge, Narasaraopet dismissed the same confirming the orders of the trial Court.

Heard and perused the material available on record.

No grounds are made out to quash the impugned orders and the concurrent findings of the Courts below are based on appreciation of evidence in proper perspective. Hence, this Court is not inclined to interfere with the same.

In the result, the Criminal Petition is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

23.02.2016

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