

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL PETITION No.2274 OF 2016**

**ORDER:**

1. This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the order dated 22.1.2016 made in CrI.M.P.No.125 of 2016 in C.C.No.88 of 2014 by the XXIII Special Magistrate, Hyderabad.

2. The petitioner is alleged to have committed the offence punishable under Section 138 of the Negotiable Instruments Act. When the above C.C. was posted for arguments on behalf of the petitioner-accused, the petitioner-accused filed the above CrI.M.P.No.125 of 2016 under Section 311 Cr.P.C. seeking to recall P.W.1 for further cross-examination and P.Ws.2 and 3 for cross-examination. The trial Court dismissed the said application. Aggrieved by the same, the petitioner filed the present petition.

3. Today when this matter has been called, there is no representation on behalf of the petitioner. Perused the material available on record.

4. The trial Court dismissed the above application on the ground that for cross-examination of P.W.1, the petitioner took more than two months time and eight adjournments and for cross-examination of P.Ws.2 and 3, one month time was given to the petitioner, but he has not utilized the said opportunity and further, after filing of the written arguments by the complainant, the petitioner-accused filed the present application. The learned trial Judge recorded all the reasons for refusing the request of the petitioner.

5. Considering the reasons recorded by the trial Court, this Court is of the view that the order of the trial Court does not warrant any interference by this Court and therefore, the Criminal Petition is liable

to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

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**JUSTICE RAJA ELANGO**

Date : 24.2.2016

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