

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2427 of 2016

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioner-accused against the order, dated 11.02.2016 in CrI.M.P. No.240 of 2016 in CrI.M.P. No.257 of 2016 in CC No.151 of 2014 by the
X Special Magistrate, Hyderabad.

Heard and perused the material available on record.

The de facto complainant filed a private complainant against the petitioner alleging that he took loan of an amount of Rs.40,00,000/- promising to return the same within six months with interest. Thereafter, the petitioner failed to repay the same. The case was numbered as CC No.151 of 2014 on the file of X Special Magistrate, Hyderabad. The evidence on behalf of the complainant was completed and at the time of defence side evidence, the petitioner filed an application to send his disputed signature on Ex.P1 to the expert for comparison with his admitted signatures. The Court below allowed the said application and the opinion of the expert was also received. The report of the expert shows that the signature in Ex.P1 was not that of the petitioner. At this time, the petitioner filed the impugned application to recall PW.1 for further cross-examination as to know how he got the signature of the petitioner in Ex.P.1. The Court below dismissed the said application through the impugned order holding that there are no special reasons to recall PW.1. Aggrieved over the same, the present petition is filed.

As seen from the record, it is evident that though the petitioner

wants to cross-examination PW.1 to elicit the fact as to how the de facto complainant obtained the signature of the petitioner on Ex.P.1, he has not specifically stated about the further developments in the case. Therefore, this Court is of the view that the Court below was right in dismissing the application, and the order impugned does not suffer from any serious infirmity calling for interference of this Court.

Accordingly, criminal petition is dismissed. Miscellaneous petitions pending in this criminal petition, if any, shall stand closed.

RAJA ELANGO, J

February 25, 2016.
KTL