

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.10851 of 2016

ORDER

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the order dated 23.06.2016 in CrI.M.P.No.106 of 2016 in S.C.No.379 of 2014 passed by the learned IV Additional District and Sessions Judge, Kurnool.

2. Heard learned counsel for the petitioners and learned Public Prosecutor representing the State.

3. The petitioners herein are A1, A5, A8, A9 and A10 in the above said Sessions Case. They filed CrI.M.P.No.106 of 2016 in the said S.C. for summoning the witnesses and for production of certain documents. The Court below partly allowed the petition in respect of the document shown at serial No.2 i.e., to produce record relating to phone No.9959840346 including its application, call data and its location on 14.04.2013 from 4 p.m. to 11 p.m. and dismissed in respect of serial Nos.1, 3 and 4 i.e., to produce record relating to phone No.9948311851; total record relating to M.Khadar Reddy in respect of allotment of Indiramma houses including its application; and to bring and speak record relating to ownership of H.No.26-611-C, Dhabrala Mask, Nandyal respectively.

4. The learned counsel for the petitioners fairly conceded that the Court below may be directed to summon a witness from IDEA Cellular Limited and Bharathi AIRTEL Limited, summoning and rest of the witnesses proposed to be examined on behalf of the accused as defence witnesses is not necessary, since the learned Sessions Judge has already allowed the application in respect of summoning the official from Bharathi AIRTEL Limited.

5. Having regard to the facts and circumstances of the case, the learned Sessions Judge is directed to issue summons to the officials of

IDEA Cellular Limited and Bharathi AIRTEL Limited, on payment of process.

6. Subject to the above direction, this Criminal Petition is disposed of.

7. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M.S.K.JAISWAL,J

Date:26.07.2016

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