

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

Criminal Revision Case No.141 of 2017

ORDER:

Heard both sides.

For there are no grounds to admit, the revision is disposed of at the stage of admission. However, it is made clear that the order no way comes in the way to the right of the petitioner—accused to ask the Court to compare within its power under Section 73 of the Evidence Act the Ex.D2 handwriting and signature whether that of complainant or not with reference to the defence of the accused that the so-called part payment endorsement said to have been made by accused to complainant, since in dispute by complainant. Needless to say, in such an event, within the power of the Court under Section 73 of the Evidence Act, the Court got power to solicit any opinion from expert, if necessary, where such contingency if shown from the ultimate hearing of the case, at the expenses of the petitioner/ Accused and for that the impugned order of the lower Court no way comes in the way nor influence the mind of trial Court.

Consequently, pending miscellaneous petitions, if any, shall stand closed.

Dr. B.SIVA SANKARA RAO J,

Date:23.01.2017
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Crl.R.C. No.141 of 2017

Dt.23.01.2017

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