

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.262 of 2017

ORDER :

Heard.

2. No doubt, the impugned order of dismissal for non-compliance of the order dated 21.12.2016 in CrI.MP.No.2732 of 2016 in C.C.No.287 of 2015 by the learned XI Special Magistrate, Secunderabad, on the application of the accused to summon Sri A.Haranath Reddy, Chartered Accountant, Hyderabad, who issued Ex.D2 certificate to prove the same, in the case covered by private complaint for the offence punishable under Section 138 of the Negotiable Instruments Act, the complainant also maintained the revision against the impugned order allowed and in the course of arguments asked this Court another Bench in CrI.FC.No.3300 of 2016 to dispose of the same, with a direction to the trial Court to dispose of the main case, preferably, within two months and obtained such direction on 28.12.2016 vide order in CrI.MP.No.2732 of 2016 holds good thereby but for dismissed for non-compliance with payment of costs of Rs.500/- to the complainant by the accused and because securing of the witness by deposit of the witness batta. Once the accused/petitioner wants to secure the witness without summoning through Court and pay directly any witness batta to the witness, there will be no difficulty but for to pay costs of

Rs.500/- to the complainant that was not paid thereby directed to be paid of Rs.1,000/- towards costs within one week from the date of receipt of copy of this order and in the mean time on the day fixed which is within one week from the date of receipt copy of this order by the trial Court the accused shall bring the witness covered by CrI.MP.No.2732 of 2016 to examine before the Court. If the complainant failed to receive the amount of Rs.1,000/- to deposit before the trial Court to remit the same to the Legal Services Authority concerned.

3. With the above modification, the Criminal Revision Case is disposed of.

4. Miscellaneous petitions, pending if any, shall stand closed.

Date:14-02-2017
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Dr. B. SIVA SANKARA RAO, J

