

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.2356 & 2357 of 2015

COMMON ORDER:

Heard both sides and perused the impugned order.

The observation of the lower Court in dismissing the petition under Section 311 Cr.P.C. of the complainant in a private complaint case on the sole ground that earlier such a petition filed for some of the documents covered herein by the accused ended in dismissal, is no way sustainable as such equity is not the consideration in exercise of the power under Section 311 Cr.P.C. but for the documents are relevant and recall is necessary or not even to consider from the 2nd part of Section 311 Cr.P.C., which mandates the Court.

Having regard to the above and in view of the facts, liberty is given to the petitioner/complainant as well as to the accused persons to move such petitions afresh to consider on own merits.

Accordingly and in the result, the criminal revision cases are disposed of.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 21.04.2017
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