

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE No. 522 of 2015

ORDER:

1. The revision is filed under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (Cr.P.C.), challenging the order dated 10.03.2015 in CrI.M.P. No. 634 of 2013 in C.C. No.4 of 2010 on the file of the Principal Special Judge for C.B.I. Cases, Visakhapatnam, whereby petition filed by the petitioner/A.4 under Section 239 Cr.P.C. for discharge, was dismissed.

2. Heard the learned counsel for the petitioner/A.4 and Sri K.Surender, learned Special Public Prosecutor for CBI Cases appearing for respondent/State. Perused the record.

3. The petitioner herein is A.4 in C.C. No.4 of 2010 on the file of the Principal Special Judge for C.B.I. Cases, Visakhapatnam. He was charge sheeted for the offences punishable under Sections 13 (e) read with 13 (2) of the Prevention of Corruption Act, 1988 and 109, 468 and 471 IPC.

4. The specific allegation against the petitioner/A.4 is that he forged signatures of other accused and purchased 1000 shares of face value Rs.60,000/- in December, 1994, and he had no source of income to purchase the said

shares during that time. As per the material on record, the petitioner/A.4 was 20 years old when the shares said to have been purchased in December, 1994. Value of the shares is Rs.60,000/-. At this juncture, it is difficult to hold that petitioner/A.4 had purchased the said shares from his earnings. While framing charges, the Court has to see whether there are sufficient grounds to proceed with the trial against the accused or not. There is sufficient material collected by the prosecution. The learned Sessions Judge rightly considered the material on record and declined to discharge the petitioner/A.4. There is no error apparent in the impugned order. There is no infirmity. There are no grounds to allow the revision.

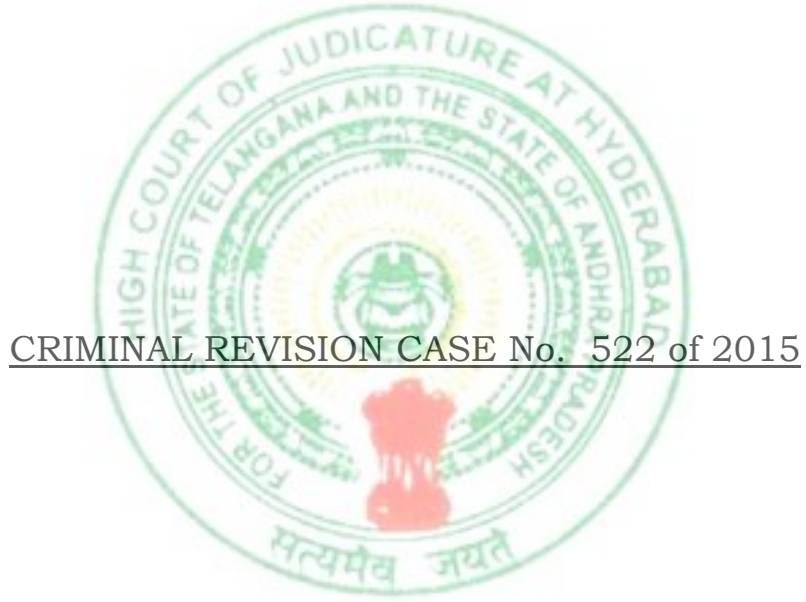
7. In the result, the Criminal Revision Case is dismissed.

Miscellaneous petitions pending, if any, in the revision case shall stand closed.

25.10.2018
DRK

Dr.SA, J.

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25.10.2018

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