

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2128 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/P.W.5, seeking to quash the order, dated 09.02.2018, passed in CrI.M.P.No.23 of 2018 in S.C.No.233 of 2012, by the II Additional Metropolitan Sessions Judge, Hyderabad, whereby and whereunder, the request of the petitioner to call for the ownership documents of the cell phones was rejected.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. As per the material produced before this Court, charge-sheet is filed on 22.11.2011 and charges were framed on 16.12.2013. No application was filed by the petitioner for the last six years. At the fag end of the trial, this application is filed stating that the ownership documents of the cell phones are necessary to adjudicate the guilt of the accused. The Court below, while dealing with the application filed by the petitioner for calling for the ownership documents of the cell phones, elaborately dealt with the subject matter and assigned valid reasons and ultimately declined to allow the application. Already P.Ws.1 to 28 were examined and Exs.P.1 to P.25 were marked. The Sessions Case relates to the year 2012. No sufficient cause is shown for the delay in filing the application to call for the ownership documents of the cell phones. The only submission was that the

documents were/are necessary/essential for adjudication of the case. The application is belated. The Court below rightly declined the request of the petitioner. There are no justifiable reasons to concede to the request of the petitioner. The Criminal Petition is devoid of merit and is liable to be dismissed.

4. Accordingly, the Criminal Petition is dismissed.

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

22nd February, 2018
Bvv

Dr.SHAMEEM AKTHER, J

