

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

Crl.R.C.No.1766 of 2018

ORDER:

This revision is arising out of order dated 21.05.2018 passed in Crl.M.P.No.428 of 2018 in C.C.No.746 of 2012 by the I Additional Judicial Magistrate of I Class, Miryalaguda, Nalgonda District.

2. Heard the learned counsel for the petitioner.

3. Notice has been served to the 1st respondent but none appeared on his behalf.

4. Learned counsel for the petitioner submits that the learned trial Court judge has not passed orders on merits. The documents relied on by parties are not required in the order. There is no speaking order. It is further submitted that the pleadings of parties are already referred in the order and there are no clear and categorical findings on merits.

5. The impugned order, reveals that the trial Court without giving any cogent reasons, as to whether the petitioner has admitted his signature on the cheque and the material on which the Court came to the conclusion that the petitioner has admitted signatures on the documents. Therefore, the order passed by the trial Court is not a speaking order giving any reasons for sending documents to the expert.

6. Therefore, the order passed by the trial Court is hereby set aside with a direction to the trial Court to pass appropriate order by giving cogent reasons on the application filed by the petitioner in Cr1.M.P.No.428 of 2018 within one week from the date of receipt of a copy of this order.

7. With the above observation, the Criminal Revision Case is disposed of.

Miscellaneous Petitions, if any pending, shall stand closed.

GUDISEVA SHYAM PRASAD, J.

Date : 19-12-2018

Gvl



In connected CrI.R.C.No.2936 of 2018 filed by the petitioner, stay has already been granted by this Court for four weeks, and the matter was posted to 17.12.2018

In view of the orders passed in CrI.R.C.No.2937 of 2018 and also in view of the submissions made by the learned counsel for the petitioner, this Criminal Revision Case is also dismissed as the C.C. was disposed of by convicting the accused.

