

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Revision Case Nos.1791 and 2035 of 2014

COMMON ORDER:

Criminal Revision Case Nos.1791 and 2035 of 2014 are filed by the petitioner/accused aggrieved by the common order dated 11.08.2014 in CrI.M.P.No.2758 and 2759 of 2014 in C.C.No.373 of 2012 passed by the learned II Additional Judicial First Class Magistrate, Rajahmundry, dismissing the petitions filed by the petitioner/accused to re-open the case and re-call PW1 for further cross-examination.

2) Heard both sides.

3) C.C.No.373 of 2012 is a case under Section 138 of Negotiable Instruments Act. Learned counsel for petitioner would submit that pending Criminal Case, arbitration proceedings were held between the parties in Arbitration O.P.Nos.31, 32 and 33 of 2014 on the file of Principal District Judge, Rajahmundry. Therefore, PW.1 has to be further cross-examined touching the aspects relating to the aforesaid arbitration proceedings and hence, Criminal Revision Cases may be allowed and opportunity may be afforded to the petitioner/accused.

4) Having regard to the above submission, both the Criminal Revision Cases are allowed in the interest of justice and the Trial Court is directed to re-call PW.1 and permit the accused to further

cross-examine him on the aspects touching the arbitration proceedings in Arbitration O.P.Nos.31, 32 and 33 of 2014 on the file of Principal District Judge, Rajahmundry and dispose of C.C.No.373 of 2012 within two (2) months from the date of receipt of a copy of this order.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 20.12.2018

Note: Issue C.C. by 24.12.2018.

(b/o)

scs

