

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

Crl.R.C.No.2937 of 2018

ORDER:

This revision is arising out of order dated 08.10.2018 passed in Crl.M.P.No.2064 of 2018 in C.C.No.76 of 2018 by the Special Magistrate Court-II at Rajendernagar, Ranga Reddy District.

2. The revision petitioner is the accused who has filed petition under Section 45 of Indian Evidence Act seeking for sending Ex.P1 cheque and Ex.P8 promissory note to FSL for opinion of the expert for identification of signatures and hand writing therein. The said petition was dismissed by the trial Court vide order dated 08.10.2018. Aggrieved by the same, the present revision is filed.

3. Heard the learned counsel for the petitioner and learned counsel for the respondents.

4. Learned counsel for the petitioner submits that the judgment in C.C.No.76 of 2018 has been pronounced on 27.11.2018 by the trial Court and it was coming up for imposing the sentence against the accused, since the accused had absconded, NBW was issued against him by the trial Court.

5. Learned counsel for the 1st respondent submits that there is another connected matter vide Crl.R.C.No.2936 of

2018 filed by the wife of the petitioner, and in that, stay has already been granted by this Court vide order dated 27.11.2018 in I.A.No.1 of 2018 for a period of four weeks. Therefore, the matter may be posted to 18.12.2018.

6. In view of the submissions of learned counsel for the 1st respondent, post the connected matter CrI.R.C.No.2936 of 2018 which is filed by the wife of the petitioner on 18.12.2018.

7. Since the judgment has already been pronounced and NBW is said to be pending against the accused, the present revision is not maintainable for setting aside the order of dismissal of CrI.M.P.No.2064 of 2018 filed under Section 45 of Indian Evidence Act.

8. Hence, the Criminal Revision Case is dismissed as infructuous.

Miscellaneous Petitions, if any pending, shall stand closed.

GUDISEVA SHYAM PRASAD, J.

Date : 14-12-2018.

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.