

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

Crl.R.C.No.3160 of 2018

ORDER:

This revision is arising out of the order dated 22.10.2018 passed in Crl.M.P.No.1448 of 2018 in C.C.No.108 of 2014 by the I Additional Junior Civil Judge, Tanuku.

2. The revision petitioner is the accused, who has filed a petition in Crl.M.P.No.1448 of 2018 in C.C.No.108 of 2014 before the trial Court, to direct the respondent/complainant to produce Income Tax returns filed by him for the relevant years and to produce his household card. The trial Court, on consideration of the material on record, has come to the conclusion in Para-6 of its judgment stating that the cheque amount is supported by the pronote and both parties are at liberty to raise all the issues and that the petitioner cannot compel the complainant to produce the Income Tax returns and the assessment forms. On this ground, the petition has been dismissed by the trial Court. Being aggrieved, the petitioner has preferred the present revision.

3. Heard the learned counsel for the petitioner and perused the material on record.

4. The petitioner has sought for direction to the respondent/complainant to produce income tax returns and his household card to prove his case. The order passed by

the trial Court is an Interlocutory order. As per Section 397(2) Cr.P.C., no revision would lie against the interlocutory order passed by the trial Court during pendency of the proceedings which is not a final order.

5. On the other hand, the reasons before the trial Court that the complainant cannot be compelled to produce the Income Tax returns is appropriate for dismissing the said application. Therefore, there are no valid grounds for entertaining this revision, more so, as it is in the nature of interlocutory order.

6. In view of the above, this Criminal Revision Case is dismissed.

7. The petitioner is at liberty to avail the alternative remedy available to him before the appropriate forum.

Miscellaneous Petitions, if any pending, shall stand closed.

GUDISEVA SHYAM PRASAD, J.

Date : 22-11-2018.

Note : Office is directed to return the original copy of the impugned judgment to the petitioner.

(B/0)
Gvl