

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION Nos.7960 AND 7976 OF 2018

COMMON ORDER:

These Criminal Petitions, under Section 482 of the Code of Criminal Procedure, 1973, are filed by the petitioner/accused seeking to quash the common order, dated 23.07.2018, passed in CrI.M.P.Nos.1656 and 1657 of 2018 in C.C.No.30 of 2018 on the file of X Special Magistrate, Hyderabad, whereby and whereunder, respondent No.2/complainant was permitted to lead further evidence and to mark the subject documents.

2. Heard learned counsel for the petitioner/accused and respondent No.2/complainant, who appeared as a party-in-person. Perused the record.

3. Learned counsel for the petitioner/accused would contend that at the stage of arguments, the subject Miscellaneous Petitions are filed; that the trial Court ought not have entertained such petitions and ultimately, prayed to allow the Criminal Petitions.

4. The party-in-person, Sri T. Raghuram, had supported the impugned common order, dated 23.07.2018.

5. It appears from the record that certain correspondence took place between the petitioner/accused and respondent No.2/complainant. The marking of the same is necessary for disposal of the subject Calendar Case, where the petitioner/accused is being prosecuted for the offence alleged

under Section 138 of the Negotiable Instruments Act, 1881. Respondent No.2/complainant has filed the subject Miscellaneous Petitions seeking permission to lead further evidence and to mark the subject documents. The trial Court, having dealt with the issue elaborately, allowed the subject Miscellaneous Petitions, though the case is posted for arguments, since an opportunity is required to be given to respondent No.2/complainant to put forth his entire case. There is no impropriety or illegality in passing the impugned common order. Under these circumstances, the petitions are devoid of merit and are liable to be dismissed.

6. Accordingly, the Criminal Petitions are dismissed.

Miscellaneous Petitions, if any, pending in these Criminal Petitions shall stand closed.

Dr. SHAMEEM AKTHER, J

April 02, 2019.
MD

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