

S. B. Criminal Misc. Petition No. 452/2010
Abdul Munir Vs. Ms. Shri Ganesh Traders

Dated : 31.03.2010

HON'BLE MR. MAHESH BHAGWATI, J.

Mr. Surendra Pal Singh, for the petitioner.

By way of this Criminal Misc. petition filed under Section 482 of Cr.P.C., the petitioner Abdul Munir has impugned the order dated 30th July, 2009 rendered by Additional Sessions Judge (Fast Track) No.1, Kota and the order dated 17th September, 2008 passed by Judicial Magistrate(First Class), Degod, District Kota, whereby the learned Judicial Magistrate allowed the petitioner to produce Gordhan Lal witness in defence but dismissed the prayer with regard to summoning the account books and bill vouchers.

Having considered the submissions made by the learned counsel for the petitioner and carefully perused the impugned orders of the courts below, it is noticed that earlier also, the petitioner filed an application before the learned trial Court for summoning the account books and the bill vouchers, which was dismissed by the learned trial Court. Aggrieved with the order, revision was filed and the revisional courts also, in its revisional jurisdiction, dismissed

the same. The petitioner also filed criminal misc. petition under Section 482 of Cr.P.C. in the High Court. That was also dismissed. This is second round of the petitioner. The learned courts below have allowed the petitioner to produce the witness Gordhan Lal in defence but declined to summon the account books as also the voucher bills on the ground that this prayer had already been dismissed by the learned trial Court, revisional court as also by the High Court. There is no change in fact situation. I do not find any infirmity in the impugned orders of the courts below and the petition being bereft of merit or any substance, deserves to be dismissed at the threshold, which stands dismissed accordingly.

(MAHESH BHAGWATI)J.

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