

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSSPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 10813/2024

(Arising out of impugned judgment and order dated 07-11-2023 in CRLP No. 10948/2023 passed by the High Court for the State of Telangana at Hyderabad)

BEZAWADA CHANDRAVADANA

Petitioner(s)

VERSUS

THE STATE OF TELANGANA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.62811/2024-CONDONATION OF DELAY IN FILING and IA No.62812/2024-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 15-03-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. M Srinivas R Rao, Adv.
Mr. Abid Ali Beeran P, AOR
Mr. Saswat Adhyapak, Adv.
Mr. Joydip Bhattacharya, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

1. Permission to file Special Leave Petition is granted.
2. Delay condoned.
3. Heard Mr. Abid Ali Beeran P, learned counsel appearing for the petitioner. The counsel submits that the petitioner is the complainant and the respondent No. 2 who is her husband, is facing the proceeding in CC No. 249 of 2012 before the Magistrate's Court at Hyderabad. In course of the said proceeding, the petitioner was

examined as PW-1 and on the basis of her response in the cross-examination, the respondent No. 2 had filed the application under Section 91 of the Cr.P.C. for a direction on the petitioner to produce her passport for the purpose of further cross-examination. According to the counsel, the said prayer was rightly rejected by the learned Magistrate under her order dated 14.07.2023 (Annexure P/4). However, the High Court under the impugned order has erroneously ordered for production of the petitioner's passport to substantiate her claim on the travel from USA to India.

4. The counsel would argue that this was an incorrect decision by the High Court as in the application filed by the respondent No. 2, the petitioner was not arrayed as a party. It will also have implication for the privacy of the petitioner.

5. Issue notice, returnable in four weeks.

6. In the meantime, the direction for production of the petitioner's passport is stayed. However, it is made clear that the proceedings i.e., CC No. 249 of 2012 should continue notwithstanding the present matter limited to the passport issue.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR