

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Dated this the 18th day of June, 2026

CIVIL REVISION PETITION Nos.247 and 253 of 2025

Between:

.. Petitioner

AND

.. Respondent

COMMON ORDER:

Since the issue raised in both the Civil Revision Petitions is one and the same, they are being disposed of by this common order.

2. The present Civil Revision Petitions are filed aggrieved by the common order dated 23.12.2024 passed in I.A.Nos.47 of 2023 and 79 of 2023 in H.M.O.P.No.153 of 2023 (Old HMOP No.144 of 2019) by the Senior Civil Judge-cum-Assistant Sessions Judge at Metpalli (for short 'the trial Court').

3. The petitioner herein is the husband, and the respondent herein is the wife.

4. Originally, the HMOP No.153 of 2023 was filed by the petitioner herein against the respondent seeking divorce on the ground of cruelty. At the stage of trial, the petitioner intended to file certain documents as primary and secondary in nature, including electronic evidence and accordingly, the petitioner filed I.A.Nos.47 of 2023 and 79 of 2023 for receiving and allowing the documents under VII Rule 14(3) read with Section 151 of the Code of Civil Procedure, 1908 and under Section 65-B of the Indian Evidence Act, 1872.

5. The trial Court dismissed both the IAs vide common order dated 23.12.2024 by observing as follows :-

“Section 65-A says that the contents of Electronic Records may be proved in accordance with the provisions of Section 65-B of the IEA. Section 65-B of IEA prescribed the mode of proof of contents of electronic records. The Section lays down certain conditions which have to be satisfied in relation to the information and the Computer in question. If those conditions are satisfied, the Electronic Record shall become admissible in any proceedings without further proof or production of the original as

evidence of any contents of the original or of any fact stated in it.

In the instant case, the Petitioner filed Sl.No.141 to Sl.No.144 without producing any Certificate under Section 65-B of IEA. Further, there is no clarity regarding whether the Petitioner is having primary evidence of such Mobile where he recorded the alleged call recordings or whether he applied for from such Authority or Person to know whether such person or authority refuses to give such Certificate or does not reply to such demand, for production of Certificate, to be dispensed with. Hence, the Documents i.e., Electronic Record sought to be received in Sl.No.141 to Sl.No.144 are not admissible in evidence.”

6. Aggrieved thereby, the petitioner filed the present Civil Revision Petitions.

7. Learned counsel for the petitioner submits that the trial Court ought to have allowed the petitions instead of dismissing them, as the respondent herein would have ample opportunity to cross-examine the petitioner and test the veracity of her case. The trial Court also failed to consider that the authenticity and genuineness of the call and voice recordings filed by the petitioner had been verified by a highly reputed

organization, namely, Truth Labs and that the recordings were submitted in a sealed cover.

8. Learned counsel for the petitioner further submits that the trial Court arbitrarily rejected the documents filed by the petitioner. The trial Court completely overlooked the fact that several of the documents had been downloaded directly from the websites of the concerned banks and credit card issuers. The petitioner was also prepared to depose regarding the authenticity of such documents and to demonstrate, through access to his accounts using his user IDs and passwords, the primary sources from which the documents were obtained and printed for production before the trial Court.

9. Learned counsel appearing for the petitioner further submits that the trial Court ought not to have dismissed the said applications, as the relevance and admissibility of the documents should be determined during the appreciation of evidence at the stage of final adjudication, rather than at the threshold. Therefore, it is prayed that this Hon'ble Court may

be pleased to set aside the impugned common order and allow the Civil Revision Petitions.

10. Learned counsel appearing for the respondent submits that the trial court rightly dismissed both the IAs. Therefore, the Civil Revision Petitions are devoid of merit and are liable to be dismissed.

11. Heard the learned counsel appearing for the petitioner and the respondent. Perused the record.

12. A perusal of both the petitions, this Court understood that initially the petitioner filed HMOP No.153 of 2023 seeking divorce on the ground of cruelty.

13. With regard to the recordings of conversations between the parties, the trial Court rightly held that recording calls without the consent of the other party constitutes a breach of privacy and the right to privacy guaranteed under Article 21 of the Constitution of India. Therefore, in the absence of consent, such recordings cannot be admitted in evidence.

14. Learned counsel for the petitioner seeks to produce document Nos. 141 to 144 as secondary evidence. A perusal of the said documents reveals that the majority of them pertain to medical records, proof of payments, air travel tickets from the USA to India, evidence of pleasure trips, payment of amount to the photographs and photographs on different occasions, money transfers.

15. This Court is not able to understand how these documents would assist the petitioner in proving the allegation of cruelty. On the contrary, the documents appear to relate to the cordial and successful marital life shared by the petitioner and the respondent. It is not evident how these documents support the petitioner's case for divorce on the ground of cruelty. Moreover, as a husband-petitioner, it is the petitioner's responsibility to incur expenses for the wife-respondent while they are leading a normal married life together.

16. The trial Court rightly rejected the applications insofar as they sought to receive the electronic records mentioned at Sl. Nos.141 to 144. Even otherwise, the documents sought to be

produced by the petitioner do not, in any manner, strengthen his case for seeking a decree of divorce on the ground of cruelty.

17. In view of the foregoing discussion, this Court is of the considered view that the trial Court rightly dismissed both the IAs., and this Court is not inclined to interfere with the common order passed by the trial Court. Therefore, the Civil Revision Petitions are liable to be dismissed.

18. Accordingly, the Civil Revision Petitions are dismissed. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

NAMAVARAPU RAJESHWAR RAO, J

Date: 18.06.2026
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