

Court No. - 82

Case :- CRIMINAL REVISION No. - 3692 of 2023

Revisionist :- Akhilesh Kumar Prajapati

Opposite Party :- State of U.P. and Another

Counsel for Revisionist :- Babu Lal Ram

Counsel for Opposite Party :- G.A., Mithilesh Kumar Shukla

Hon'ble Ms. Nand Prabha Shukla, J.

Heard learned counsel for the revisionist, learned counsel for opposite party and learned A.G.A. for the State.

This criminal revision under section 397/401 Cr.P.C. has been filed against the order dated 09.06.2023 passed by Additional Sessions Judge, Court No. 3, Kanpur Nagar in Sessions Trial No. 883 of 2021 (State vs. Akhilesh Kumar Prajapati alias Curfew) in Case Crime No. 684 of 2020, under Sections 452, 376, 511 I.P.C, Police Station Babupurwa, District Kanpur Nagar.

Learned counsel for the revisionist submits that an application under Section 311 Cr.P.C. was moved for recall of witnesses P.W.-1 victim Smt. Lakshmi Devi and P.W.-2 Dharmendra Kumar for their re-cross examination as the previous counsel had not cross examined the said witnesses on certain relevant facts.

From perusal of records, it appears that the said witnesses have already been cross-examined by the previous counsel and the application under Section 311 Cr.P.C. has been moved by the revisionist to delay the trial proceedings. As the said witnesses have already been extensively cross examined by the previous counsel, therefore, there is no genuine reason to grant another opportunity to the subsequent counsel to re-cross examine the witnesses PW-1 Victim Smt. Lakshmi Devi and PW-2 Dharmendra Kumar. There is no illegality or material irregularity in the impugned order. Matter requires no interference.

Accordingly, this Criminal Revision is dismissed.

Order Date :- 12.12.2023

A.N. Mishra