

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 581 of 2015**

Manoj Sharma, S/o Virendra Sharma, aged about 28 years,
R/o Kushal Garden, Carry Road, Police Station Saiedngar,
Didstrict Agra, presently residing at F-3/C-372, Sangam
Vihar Mahrouli Road, New Delhi (India)

---- Applicant

Versus

State Of Chhattisgarh Through – Station House Officer,
Police incharge Gandhi Nagar, District – Surguja (C.G.)

---- Non-applicant

For Applicant: Mr. Amar Nath Pandey, Advocate.
For Non-applicant/State: Mr. Anupam Dubey, Dy. Govt.
Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board**27/08/2015**

Heard.

(1) By the impugned order, the trial Court has rejected the application under Section 311 of the Code of Criminal Procedure for recalling of the seven prosecution witnesses.

(2) Learned counsel for the applicant submits that though the witnesses were examined & cross examined on 16.06.2014 but important facts could not be elicited from them and, therefore, their re-examination is necessary and the trial Court has

committed an illegality in rejecting the said application.

(3) On the other hand, counsel for the State supported the order impugned.

(4) After hearing learned counsel for the parties at length, I am satisfied that it is not a fit case for allowing the application for cross examination of the prosecution witnesses as the prosecution witnesses have already been examined on 16.06.2014; and the application under Section 311 Cr.P.C. came to be filed as belatedly as on 19.06.2015. Apart from this, I do not find any jurisdictional error in order impugned rejecting application under Section 91 of the Code of Criminal Procedure warranting interference of this Court under its revisional jurisdiction.

(5) Accordingly, the revision fails and is hereby dismissed.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-