

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 891 OF 2014

Navnit K. Mehta

... Applicant.

V/s.

Alnoor Hasanali Jamal & Others.

... Respondents.

Mr. Vibhav Krishna a/w. B.R. Maurya i/by Juris Consillis,
Advocate for the Applicant.

Mr.V.B.Konde-Deshmukh, APP for the State-Respondent No.9.

CORAM : M.L.TAHALIYANI, J.

DATE : 06 JANUARY, 2015

P.C. :

1 Heard the learned counsel appearing for the Applicant and the learned APP for the State.

2 The Applicant is aggrieved by the order passed by the learned Magistrate, rejecting prayer of the applicant to cross-examine the court witness called by the Magistrate during the course of an enquiry under section 202 of the Criminal Procedure Code.

3 Since the complaint is filed by the applicant, he is entitled to cross-examine the witness called by the court. The order passed by the learned Magistrate is erroneous.

4 The impugned order is, therefore, set aside and the learned Magistrate is directed to allow the applicant to cross-examine the court witness.

5 Criminal Application stands disposed of accordingly.

(JUDGE)

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