

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPLICATIN (APL) NO.574 OF 2015**

Avinash Raut

..vs..

State Mah. thr PSO PS City Kotwali, Akola, Taluka and District Akola

.....  
Office Notes, Office Memoranda of Coram,  
appearances, Court orders or directions  
and Registrar's orders  
.....

Court's or Judge's Order

Shri Anil Mardikar, senior counsel for the applicant.  
Mrs. S.S. Jachak, Addl. P.P. for the State.

**CORAM : V.M. DESHPANDE, J.**

**DATED : OCTOBER 5, 2015.**

**Heard.**

Learned senior counsel for the applicant submits that he wishes to withdraw the application since the Trial has already commenced.

The grievance is raised before this Court by learned senior counsel for the applicant that the proper opportunity of cross examining the witnesses is not being afforded to the accused persons. The cross examination is the right of the accused. It is expected from the Court below to afford such opportunity to the accused persons. However, at the same time, the accused persons should not prolong the Trial either by one reason or the other.

In that view of the matter, sufficient opportunity should be given to the accused persons to cross examine the prosecution witnesses.

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The statement made by learned senior counsel for the applicant is recorded that the accused persons shall not protract the litigation by moving application before the Court below.

Thus, the criminal application is allowed as withdrawn.

**JUDGE**

**!! BRW !!**

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