

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1787 of 2015

ORDER:

The petitioner filed this Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the order dated 11-08-2015 passed in CrI.M.P.No.1678 of 2015 in C.C.No.262 of 2015 by the IV Special Magistrate, Erramanzil, Hyderabad, wherein and whereby the learned Special Magistrate allowed the petition filed by the Respondent No.1 herein for recalling the P.W.1 - petitioner herein for further cross-examination.

This Court perused records and heard the arguments.

The learned Special Magistrate after observing the entire proceedings before the Court with an intent to give an opportunity to the Respondent No.1 herein for further cross-examination of the petitioner herein, allowed the petition.

This Court is of the view that powers under Section 311 Cr.P.C. can be used for just decision of the case. Hence, the order passed by the learned Special Magistrate is in accordance with law. Therefore, this Court is not inclined to interfere with the order impugned.

Accordingly, the Criminal Revision Case is dismissed. However, the learned IV Special Magistrate, Hyderabad is directed to fix a date for cross-examination of P.W.1 - petitioner herein, and on fixing such date, the petitioner herein is directed to be present before the Court concerned and subject himself for cross-examination. The learned Special Magistrate is also directed to dispose of the case within a period of two months from the date of receipt of a copy of the order

Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

31st August, 2015.

skmr