

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No.38 of 2016**

Rakesh Dubey, S/o. Late Ramji Dubey, aged about 56 years,
R/o. Lalmathwada, Kanker, Police Station & District Kanker (CG)

---- **Petitioner****Versus**

State of Chhattisgarh, through the Station House Officer, Police
Station Kanker, District Kanker (CG)

---- **Respondent**

Shri DN Prajapati, counsel for the petitioner.
Shri Lav Sharma, Panel Lawyer for the State/respondent.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****19.02.2016.**

At the outset, learned counsel for the petitioner submits that an application filed earlier under Section 311 of the Code of the Criminal Procedure, 1973 (for short 'the Code') does not contain specific facts on which they want to pray for re-examination of the prosecutrix. They be given opportunity to file detailed and elaborate application stating specific facts and grounds on the basis of which they want to re-cross examine the witness.

3. As prayed, the instant petition is disposed of without any appreciation on its merits. The petitioner is directed to file a fresh application under Section 311 of the Code elaborately stating facts, grounds and circumstances on which they pray for re-cross examination before the next date of hearing at the trial Court positively. If any such application is filed on behalf of the petitioner, the Court below is directed to dispose of the same

immediately after hearing both the parties afresh strictly in accordance with law under Section 311 of the Code without being influenced by earlier order dated 31.12.2015.

4. Petition disposed of.

Certified copy today itself.

**Sd/-
(Chandra Bhushan Bajpai)
JUDGE**