

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.11951 of 2016

ORDER:

This criminal petition is filed questioning the order of the learned I Additional Special Judge for C.B.I Cases, Visakhapatnam, dated 05.07.2016 passed in CrI.MP.No.360/2016 in C.C.No.09/2005.

The present petition is filed questioning the order of the Court below in permitting the prosecution to summon and examine the Investigating Officer whose name was not listed in the charge sheet.

The grievance of the petitioner is that if the proposed witness is examined, he may be given liberty to recall and examine the witnesses, who are already examined, if necessary.

In the facts and circumstances of the case, the Criminal Petition is disposed of, giving liberty to the petitioner to file application, if necessary, seeking recall of any witness who was already examined, in the event of examining the proposed investigating officer by the prosecution, and on filing such application, the Court below shall dispose of the same on merits, in accordance with law.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAI SWAL,J

Date: 07.09.2016
Dsr