

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.2912 of 2015

ORDER:

Assailing the order dated 19.10.2015 passed in crl.M.P.No.298 of 2015 in S.C.No.102 of 2011 on the file of the VI Additional District and Sessions Judge, Mahila Court, Visakhapatnam, the present Criminal Revision Case is filed under Sections 397 and 401 Cr.P.C.

The facts in issue are as under:

An application under Section 231 (2) Cr.P.C. came to be filed by the petitioner to recall PWs.1 and 6 and to exhibit R.F.S.L. reports. After hearing the accused and the Public Prosecutor appearing for the State, the learned Magistrate rejected the said petition. Challenging the same the present revision is filed.

Though various grounds are raised in this revision, learned Counsel appearing for the petitioner restricts his prayer seeking a direction to recall PW.6 on the ground that certain issues which are referred to in this petition are not put to him.

Learned Public Prosecutor submits that he has no objection for recalling PW.6, but however, submits that immediately after the cross-examination, the trial Court may be directed to proceed with the arguments of the case, for which the counsel for the petitioner stated that he has no objection for the same.

Having regard to the facts and circumstances of the case, PW.6 is recalled for further cross examination. It is made clear that PW.6, who is the investigating Officer in S.C.No.102 of 2011, shall appear before the Court on 30.03.2016 before the trial Court for further cross-examination on 30.03.2016, on which date the learned counsel appearing for the accused shall complete his cross examination. No

further adjournments will be given on the said date. It is needless to mention that the petitioner shall not take time for leading any defence evidence or to recall any other witnesses after cross-examination of PW.6. Immediately after completion of the cross-examination, the trial Court shall proceed with the arguments in the main case.

Accordingly, the Criminal Revision Case is allowed.

Miscellaneous petitions, if any, pending shall stands closed.

JUSTICE C. PRAVEEN KUMAR

23.03.2016

Note: Issue C.C. by Monday.

B/o

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