

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.12468 of 2016

ORDER :

The grievance of the petitioner/accused is that he filed a petition under Section 311 of Cr.P.C. to summon a person by name Ch.Siva Kishore in support of his case, but the Court below has returned the said petition.

Heard learned counsel for petitioner and the learned Public Prosecutor and perused the material available on record.

It is noticed from the record that CrI.M.P.(SR).No.6950 of 2016, dated 17.08.2016 was filed by the petitioner/accused under Section 311 Cr.P.C. seeking summoning of the proposed witness. On 17.08.2016, the learned Magistrate has returned the petition with an objection, but the same has not been re-submitted.

In that view of the matter, this criminal petition is disposed of directing the petitioner/accused to resubmit the CrI.M.P. by answering the objections raised by the office, in which event, the learned Magistrate to dispose of the same by passing appropriate orders in accordance with law, forthwith.

Pending miscellaneous applications, if any, shall stand closed.

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M.S.K.JAISWAL, J

29th August 2016

ajr