

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.16061 OF 2016

ORDER:

This criminal petition, under Section 482 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed to quash the order dated 02.11.2016 in CrI.M.P.No.3055 of 2016 in C.C. No.588 of 2015 passed by the XIV Additional Judge-cum-XVIII Additional Chief Metropolitan Magistrate, Hyderabad, whereby the petition filed under Section 311 of Cr.P.C. to recall and for cross-examination of P.W.2 was dismissed.

During hearing, Sri K.Sai Babu, learned counsel for the respondent, reported no objection to allow the petition, on condition to cross-examine the witness on the date fixed by the trial court without granting any adjournment.

Acceding to the request made by the counsel for the respondent, the petition is allowed, directing the trial court to fix a specific date for cross-examination of P.W.2 and on the date fixed by the trial court, the petitioner has to cross-examine P.W.2. In the event of failure to cross-examine P.W.2, the trial court shall pass order closing the cross-examination of P.W.2.

With the above direction, the criminal petition is disposed of.

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

M. SATYANARAYANA MURTHY, J

Date: 02.12.2016
BV