

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

CRIMINAL PETITION No.11133 of 2016

ORDER:

This Criminal Petition is filed against the order dated 13.06.2016 in CrI.M.P.No.2634/2016 in C.C.No.166/2014 on the file of the Additional Judicial Magistrate of First Class, Tiruvuru, Krishna District, whereby, the petition filed under Section 311 Cr.P.C. to recall PW.1 for cross-examination was dismissed.

Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor for the State.

In view of the facts and circumstances of the case and in view of the nature of offence, I feel that the petitioner/accused be given an opportunity to cross examine PW.1, however, subject to following conditions;

- i) The petitioner/accused shall complete the cross examination of PW.1 on the same day when he is produced, without seeking any further adjournment;
- ii) The petitioner/accused shall pay costs of Rs.2,000/- (Rupees Two thousand only) to PW.1 on the date of his cross examination; and
- iii) The said process shall be completed within one month.

Accordingly, the Criminal Petition is disposed of.

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

M.S.K.JAISWAL,J

Date: 01.08.2016
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