

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION NO.11198 OF 2016

ORDER:

The Criminal Petition is filed under Section 482 of Code of Criminal Procedure by the petitioners/Accused Nos.1 and 2 seeking to quash the order dated 02.05.2016 passed in CrI.M.P.No.73 of 2015 in Sessions Case No.207 of 2013, by the II Additional Sessions Judge, Karimnagar at Jagtial, wherein and whereby the learned II Additional Sessions Judge dismissed the petition filed by the petitioners/Accused Nos.1 and 2 under Section 311 of Cr.P.C. seeking to recall P.Ws.3 and 4 for the purpose of further cross-examination.

Heard the learned counsel for the petitioners/Accused Nos.1 and 2 and the learned Public Prosecutor and perused the material available on record.

Considering the facts and circumstances of the case, this Court is of the view that ends of justice would be met if P.Ws.3 and 4 are recalled for the purpose of further cross-examination subject to the following conditions:

- (1) The petitioners/Accused Nos.1 and 2 shall deposit process for sending summons to P.Ws.3 and 4 and along with the same, an amount of Rs.5,000/- (Rupees five thousand only), should be deposited into the Court to be paid to P.Ws.3 and 4, as and when they appear before the Court for giving evidence;
- (2) That the petitioners/Accused Nos.1 and 2 shall cross-examine P.Ws.3 and 4, as and when they appear before the Court, without seeking further adjournment.
- (3) The entire process shall be completed within a period of one month from the date of receipt of a copy of this order.

Accordingly, the Criminal Petition is disposed of. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

M.S.K. JAISWAL, J

July 29, 2016

SS