

THE HON' BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.6198 OF 2017

ORDER:

Heard learned counsel for the petitioners and the learned Public Prosecutor, and perused the record.

2. This criminal petition is filed under Section 482 Cr.P.C., assailing the order passed by the trial Judge in CrI.P. No.1218 of 2017, dated 27.06.2017, wherein the petition filed by the petitioners to recall PW.18 was dismissed.

3. Learned counsel for the petitioners would contend that some original documents are missing from Ex.D-1 Case Sheet and those are the important documents and for that, PW.18 is required to be further cross-examined.

4. Learned Public Prosecutor opposed the same contending that PW.18 is not the author of the document and he is not connected with Ex.D-1.

5. Admittedly, Ex.D-1 case sheet, produced from Yashoda Hospital and it is marked during the cross-examination of PW.11. PW.18 is nothing to do with the so called missing of originals from Ex.D-1. It is evident from the record that PW.18 is the investigating officer and he was cross examined at length. The trial Court has assigned number of reasons for dismissing the recall application of the petitioner. Under these circumstances, the petition is lacking merits and as such, the same is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, pending if any, shall stand dismissed.

Dr. SHAMEEM AKTHER, J

July 27, 2017
KTL