

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.12560 OF 2016

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the order passed in CrI.M.P.No.39 of 2014 in C.C.No.174 of 2011 on the file of Judicial Magistrate of First Class, Araku Valley, Visakhapatnam District.

First Respondent/complainant filed a petition under Section 311 of Cr.P.C to recall P.W.5 in order to record the correct form of suggestion correcting the words "words" during deposition, since the evidence recorded by the Trial Court is conflicting to one another. But, the Court held that the witness has to file an appropriate application to correct the mistakes in the deposition recorded by the Court.

During hearing, learned counsel for the petitioner requested leave of this Court to file an appropriate application before the concerned Court by the witness herself.

Therefore, acceding to the request of the learned counsel for the petitioner, the criminal petition is dismissed, granting liberty to the learned counsel for the petitioner as prayed for.

Consequently, miscellaneous petitions, if any, pending in this Petition shall stand dismissed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

02.01.2017
SP