

**HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

**CRIMINAL PETITION No.3595 OF 2017**

**ORDER:**

Heard at length and perused the impugned order.

2. It is the submission that P.Ws.1 to 4 were examined in Chief and not at all cross-examined and also P.W.25. In fact, the petition filed is for examination of P.Ws.1, 4, 23, 26, 33 and 34 only and it is not even mentioned P.Ws.1 to 4 and P.W.25 name not even mentioned. The lower court by the impugned order allowed cross-examination further of P.WS.33 and 34, since they were already cross-examined and claiming as some more questions to be asked.

3. Now, it is the submission that there is no further cross-examination required practically pursuant to the impugned order even allowed of P.Ws.33 and 34 and it is required of cross-examination of P.Ws.1 to 4 and 25 only. Once such is the case, when there is no prayer, this Court cannot by sitting in revision against the impugned order of the lower court permit, but for giving liberty to file fresh petition to consider, as the earlier dismissal order will no way come in the way for consideration, more particularly from the factum of P.Ws.1 to 4 and 25 not at all cross-examined in considering the right of the accused, however, by imposing

heavy costs if at all for the negligence to sub-serve the ends of justice to decide on own merits subject to the observations.

4. Accordingly and with the above direction, this criminal revision case is disposed of. Miscellaneous petitions pending, if any, in this case shall stand closed.

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**DR.B.SIVA SANKARA RAO, J**

**28.04.2017**  
**SS**

