

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 1062 of 2017**

Ramashankar Soni S/o Late Dayashankar Soni, aged about 36 years R/o Mines Quarter Colony, Bijuri District- Anuppur, at present resident of Jhansi Chhatnag Road, Police Station- Jhansi, District- Allahabad (U.P.) (Accused)

----- Applicant**Versus**

1. State of Chhattisgarh, through the Station House Officer, Police Station, Jhagrakhand, District- Koriya (C.G.).
2. Maiku @ Michalel Kol S/o Chainu @ Chaitu Kil, aged about 37 years, Caste- Kol, R/o Islam Ganj, Police Station – Kotma, District- Annuppur at present Timdha Marwahi, District- Bilaspur (C.G.).
3. Heera Singh Thakur S/o Badri Singh Thakur, R/o Devri, P.S Jaysingh Nagar, District- Shahdol (M.P.).

---- Respondents

For Applicant	:	Mr. Laxmin Tondey, Advocate
For Respondent	:	Mr. Ramakant Pandey, PL

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****14/08/2018**

1. Hear on 01/2017, an application for condonation of delay in filing this revision. It is reported that the revision is barred by 193 days of limitation.
2. For the reasons mentioned in I.A. No. 01/2017, the same is allowed. Delay in filing the revision is condoned.
3. Also, heard on admission.
4. Vide impugned order dated 28/01/2017, the learned trial Court has

rejected the application under Section 311 of the Cr.P.C preferred by the applicants. Thus, this revision has been filed.

5. From perusal of the record, it is clear that the trial is going on against the applicant for the offence punishable under Sections 450, 390 and 397/34 of IPC. On 26/08/2013, Ms. Shila Tiwari (PW8) was examined. Thereafter, on 12/01/2017, an application under Section 311 of the Cr.P.C was preferred by the present applicant, wherein, it was stated that during cross-examination of Ms. Shila Tiwari (PW8), certain important questions were not put up, therefore, this witness may be recalled for further cross-examination. It is also clear that during cross-examination, a lengthy cross-examination of the said witness was done by the defence. The application, preferred under Section 311 of the Cr.P.C, too does not show that what necessary questions were left while cross-examination. Therefore, the learned trial Court has rightly rejected the said application. From perusal of the record, it is also clear that at present, the said sessions trial is at the stage of passing the judgment.
6. Since, this revision has no merits, the same is dismissed.
7. Records of the trial Court be sent back immediately.

Sd/-
(Arvind Singh Chandel)
Judge