

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 274 OF 2018

Dhanaji Vasant Yalmar and others	... Petitioners
Versus	
The State of Maharashtra	... Respondent

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Mr. Umesh R. Mankapure for the Petitioners.
Ms. M. R. Tidke, APP for the State.

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CORAM : M. S. KARNIK, J.

DATE : 27th MARCH, 2018

P. C.:

. Heard learned Counsel for the Petitioners.

2. An application Exhibit-40 was filed for recall of PW-3 Sindhu Arjun Chaugule. The learned Trial Judge in exercise of powers under Section 311 of the Code of Criminal Procedure, allowed the application. The said application has been allowed with a view to have fair trial. It has further been observed that no prejudice will be caused to the defence as the defence will get an opportunity to cross examine the witness.

3. I have gone through the order passed by the Trial Court. I do not find any illegality in the said order so as to warrant interference in the exercise of writ jurisdiction. The criminal writ petition is accordingly rejected.

4. All the objections that may be raised by the Petitioners will obviously be dealt with in accordance with law by the Trial Court.

(M. S. KARNIK, J.)