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

CRIMINAL APPLICATION NO.1359 OF 2015

Kavita Narang	... Applicant
Versus	
Shailesh Narang and Ors.	...Respondents

Applicant is present in Court.

Ms.Mrunmai Kulkarni i/b Maitreya Girish Shukla, for the Respondent Nos.1 and 2.

Mr.H.J.Dedhia, A.P.P for the Respondent No.3-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 9th JANUARY, 2018

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant has impugned the order dated 6th March, 2014, passed by the learned Additional Chief Metropolitan Magistrate, 9th Court, Bandra, Mumbai, in C.C.No.1008/PW/2008, as well as the order dated 28th July, 2015, passed by the learned Special Judge (CBI)/The Additional Sessions Judge, Greater

Bombay in Criminal Revision Application No.791 of 2014.

3. The Applicant who appears in person states that the learned Additional Chief Metropolitan Magistrate made corrections in her cross-examination, at a few places, after the same was typed, in pencil, at the behest of the Respondent Nos.1 and 2. She submits that the said corrections were made in pencil by the learned Additional Chief Metropolitan Magistrate after the certified copy of her cross-examination was made available to the respondents. She submits that since the corrections in pencil at some places were made at the behest of the respondent-accused, the same cannot be allowed, as the applicant disputes the said corrections, in particular the correction in the months.

4. Learned Counsel for the respondent nos.1 and 2 opposes the application and submitted that no interference was warranted in the impugned order.

5. Learned APP states that a perusal of the record i.e. the typed copy of the cross examination of the applicant shows that there are no

signatures of the learned Additional Chief Metropolitan Magistrate at the places where the corrections are made in pencil whereas there is correction on the last page where the correction is made in pen.

6. Perused the papers. According to the applicant certain answers were wrongly recorded by the learned Additional Chief Metropolitan Magistrate. Be that as it may, this Court cannot go into the same as the learned Additional Chief Metropolitan Magistrate who has recorded the evidence has stated that the evidence is recorded as per the say of the applicant. As far as corrections made in the cross examination of the applicant in pencil i.e. internal page nos.17, 18, 19, 20 and 21 are concerned, wherever the corrections are made in pencil, admittedly, there are no signatures of the learned Additional Chief Metropolitan Magistrate. Infact on the internal page no.22, there is one correction at the end made in pen where the learned Additional Chief Metropolitan Magistrate has signed. Hence, wherever the corrections are made in pencil, the said corrections will have to be ignored and the typed evidence i.e. cross examination on page nos.17 to 22 will have to be considered by the learned Additional Chief Metropolitan Magistrate while deciding the case.

7. Application is allowed and disposed of in above terms.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.