

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Crl.P. No.6813 OF 2018

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the order dated 21.03.2018 in C.C.No.157 of 2012 passed by the Judicial Magistrate of First Class, Nandikotkur, Kurnool District dismissing the petition filed under Section 311 Cr.P.C to recall PW.6 for cross examination.

On 14.03.2018, PW.6 was examined and on that day due to absence of the counsel for petitioners cross examination of PW6 was recorded as 'nil' and that absence of the counsel for the petitioners on that day is due to unavoidable circumstances. Aggrieved by the same, the present petition is filed to quash the order passed by the Magistrate.

Taking in to consideration of the facts and circumstances of the case and in the interest of justice, I find that it is a fit case to set aside the order dated 21.03.2018 in C.C.No.157 of 2012 passed by the Judicial Magistrate of First Class, Nandikotkur, Kurnool District while directing the Magistrate to fix a specific date for cross examination of PW.6 on being recalled PW6. In the event of failure to cross examine PW.6 by the petitioners' counsel on the date fixed by the Magistrate, the order shall stands vacated.

Accordingly, the criminal petition is disposed of.

Pending miscellaneous petitions in the petition, if any, shall stand closed.

02.07.2018
kvrn

M.SATYANARAYANA MURTHY,J