

Vidya Amin.

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

CRIMINAL WRIT PETITION No. 1753 OF 2019

Monika Sachin Wadkar & Ors. ... Petitioners

VS.

The State of Maharashtra ... Respondent

Mr. Satyavrat Joshi i/b. Sunil S. Kamble, Advocate for the petitioners.

Mr. A.R. Patil, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 3rd April, 2019

P.C. :

Upon mentioning, taken on production board.

2. This Writ Petition is directed against the order dated 30th November, 2018 below Exhibits 151 and 152 in Sessions Case No. 320 of 2011 and seeks permission that PW-1 and PW-2 are to be called for cross-examination and the order of No Cross is to be set aside.

3. The learned counsel for the petitioners submitted that the petitioners/accused are facing charges under sections 452, 325, 427, 143, 144, 147 r/w. 149 of Indian Penal Code in C.R. No. 40 of 2011. The learned counsel submitted that a cross case is

pending. He submitted that the counsel was not present when the witnesses appeared and the chief was recorded. He submitted that on the next date, two Advocates, who are appearing for all the petitioners, shall remain present and conduct the cross-examination.

4. In view of this, the order dated 30th November, 2018 below Exhibits 151 and 152 in Sessions Case No. 320 of 2011 is hereby set aside with a direction that the petitioners to deposit the total costs of Rs.10,000/- in the District Court, Pune and the Nazir of the District Court may send the said amount to the District Bar Association Library, Pune. The advocates of the petitioners/accused are directed to conduct cross-examination without fail as per the schedule fixed by the learned trial Judge. The prosecution to bring PW-1 and PW-2 as per the scheduled date fixed by the trial Judge and the parties to cooperate the trial Judge. Writ Petition is disposed of.

5. Parties to act upon the authenticated copy of this order.

(MRIDULA BHATKAR, J.)