

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.13173 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.7 to quash the order, dated 28.11.2018, passed in CrI.M.P.No.5362 of 2018 in S.C.No.553 of 2015 on the file of Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District at L.B.Nagar, whereby, the petition filed by the petitioners/A.1 to A.7 under Section 311 Cr.P.C. to recall P.W.19-Investigating Officer for further cross-examination, was dismissed.

2. Heard the learned counsel for the petitioners/A.1 to A.7, the learned Additional Public Prosecutor representing the 1st respondent-State and perused the record.

3. The petitioners/A.1 to A.7 intended to recall P.W.19-Investigating Officer for further cross-examination to put some questions. What are those questions are not submitted. The petitioners/A.1 to A.7 submitted before the Court below that the Court did not record the questions and answers put to the witnesses and the Court below concluded that such submission is highly objectionable, when the proceedings were recorded in the open Court in the presence of the counsel and the accused and that P.W.19-Investigating Officer was thoroughly cross-examined. Under these circumstances, this application to recall P.W.19-Investigating Officer for further cross-examination is filed without justifiable reasons and on false averments. Therefore, this petition deserves to be dismissed.

4. Hence, the Criminal Petition is dismissed.

Pending Miscellaneous Petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

15th March, 2019
Bvv

