

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.621 of 2022

Prafulla Kumar Sahoo

....

Petitioner

Mr. U. Sahoo, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Miss S. Mishra, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER
19.05.2022

Order No.

03.

1. Heard Mr. U. Sahoo, learned counsel for the Petitioner as well as Miss S. Mishra, learned A.S.C. for the State-Opposite Party.

2. The prayer to recall the I.O., i.e.P.W.12 by the accused-Petitioner for his further cross-examination has been rejected in the impugned order by the learned trial court.

3. Upon hearing both the parties and perusal of the evidence of P.W.12 under Annexure-1 and the petition of the accused to recall him under Annexure-2 as well as keeping in view the offences alleged which are under Sections 363/365/366-A/376(2)(n)/114, I.P.C. and Sections 4/16/17 of the POCSO Act, the prayer to recall the I.O. is allowed. Learned trial court is directed to pass necessary order fixing a suitable date to permit the accused to further cross examine the P.W.12. It is made clear that failing to cross examine said P.W.12 on the date fixed, no second opportunity shall be granted to the Petitioner.

4. The CRLMC is disposed of with the aforesaid directions.

5. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge

