

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.705 of 2022

M/s.Jayashree Jeenmata Paddy ***Petitioner***
Processors

Mr. P.K. Das, Advocate

-versus-

M/s.Anil Kumar Agrawal ***Opposite Party***

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
23.03.2022

Order No.

01.

1. Heard Mr. P.K. Das, learned counsel for the Petitioner.
2. Present application has been filed questioning order dated 10.01.2022 of the learned J.M.F.C., Kantabanji in ICC Case No.31/2017 wherein the prayer of the Petitioner for further cross-examination of the witness on recall was rejected.
3. The Petitioner is the accused in the aforesaid case. After completion of the evidence from the side of the complainant, when the matter was posted for defence evidence, a petition dated 6.1.2022 was filed praying to recall P.Ws.1 & 2 for their further cross examination. Admittedly those witnesses were examined much prior to that date as per the submission of the Petitioner. Learned Magistrate rejected the prayer of the Petitioner on the ground that he is adopting dilatory tactics to drag the proceeding and further, no specific questionnaire was furnished with regard to further cross-examination of those witnesses.

4. Having perused the copy of the petition dated 6.1.2022 under Annexure-4 and the proposed questionnaires formulated, no merit is seen in the contention of the Petitioner for any necessity to further cross-examine those witnesses. As no infirmity is seen in the order of the learned Magistrate, no reason is made out to interfere with the same.

5. Accordingly, the CRLMC is dismissed.

(**B.P. Routray**)
Judge

B.K. Barik

