

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2814 OF 2021

Rajkishore Patra & another

..... Petitioners
Mr. S.K.Baral, Adv.

-versus-

State of Odisha.

..... Opposite Party
Ms. S.Mishra,ASC

CORAM:

JUSTICE V. NARASINGH

ORDER
27.04.2022

Order No.

02.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. It is submitted by the learned counsel for the petitioner and it is evident from the impugned order rejecting the prayer of the petitioners for recall of the I.O. (P.W.7) that he was cross-examined on 25.05.2016 and thereafter on 26.12.2018 the statement of the accused persons were recorded under Section 313 Cr.P.C. Thereafter on 28.01.2019 defence examined one witness on their behalf.
4. It is apt to note here that on 7.02.2019 the learned counsel for the defence filed a memo to close the evidence from the side of the defence. In the year 2021 petition dated 26.11.2021 for recall of the I.O. is being sought after memo of closure was filed on 7.02.2019 as noted.

5. On consideration of materials on record, this Court does not find any infirmity in the impugned order rejecting the prayer of the petitioner-accused for recall of P.W.7.

6. Accordingly, the CRLMC stands dismissed.

(V.Narasingh)
Judge

Dhal

