



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.298 OF 2024

Manohar S/o. Ramdas Baghe

.Vs.

State of Maharashtra, through P.S. Civil Lines, Akola and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr A. Ananthakrishnan, Advocate for the petitioner

Ms Ritu Sharma, APP for respondent No.1/State

Mr Ayush Sharma, Advocate for respondent Nos. 2, 3, 4, 5 and 8

CORAM : G.A. SANAP J.

DATE : JUNE 25, 2024

Heard learned Advocate for the petitioner,
who is the informant (PW-1) in the prosecution case.

2. The challenge is to the order dated 14.03.2024
passed by the learned Sessions Judge, Akola whereby the
prayer made on behalf of the accused to recall
PW-1/informant for the further cross examination on
certain points was allowed.

3. I have gone through the impugned order. Learned
Sessions Judge by taking holistic view of the entire
matter allowed the application. The reasons have been
recorded in the impugned order. On going through the
impugned order I do not see any substance in this writ
petition. Learned Sessions Judge after considering the

pros and cons of the matter felt that the ends of justice would be served by granting the indulgence of the nature sought for by the accused. It needs to be stated that the fair trial, both to the informant and the accused, is a rule. Every stage and action in a criminal trial must be directed to ensure the fair trial. Learned Judge in order to ensure the fair trial has exercised his discretion and allowed the re-examination by taking recourse to the provisions of Section 311 of the Code of Criminal Procedure. I do not see any substance in the writ petition. Therefore, the writ petition stands **dismissed** and disposed of, accordingly.

4. Learned Sessions Judge shall see that the trial is disposed of expeditiously.

(G. A. SANAP, J)