



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

CRIMINAL WRIT PETITION NO.179 OF 2024

[Harshwardhan Raibhan Jadhav ..Vs.. The State of Maharashtra]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr A. I. Nayak, Advocate for Petitioner.
Mr H. D. Dubey, APP for Respondent/State.

CORAM : M. W. CHANDWANI, J.

DATE : 2nd APRIL, 2024.

. Heard.

2. The writ petition challenges the order dated 05.01.2024 below Exhibit - 40 passed by the learned Ad-hoc District Judge-6 and Sessions Judge, Nagpur, in Sessions Case No.803 of 2021, whereby rejecting the application of the petitioner for recalling of witness.

2. The contention is that the cross-examination of PW Nos.1 to 7 was conducted in casual and negligent manner and is lacking of various aspects. It is further contended that just because of the fault of the counsel, accused should not suffer and recalling of those witnesses for further cross-examination is necessary for just decision of the case. To buttress his submission, he seeks to rely on the case of *Hindudstan Antibiotics and another vs State of Maharashtra and others, 2018 SCC OnLine Bom 10150* as well as *Jamaluddin Mohd. Shaban Ansari vs State of Maharashtra, 2018 SCC OnLine Bom 10155.*

3. Mr Dubey, learned APP, waives notice on behalf of respondent/State.
4. Stand over after two weeks.

(JUDGE)