



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

CRIMINAL WRIT PETITION NO. 954 OF 2024

PRATIBHA PRABHAKAR TAYADE

VERSUS

HARISH RAMESH GAWAI AND ANOTHER

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. S. U. Bhuyar, Advocate for the petitioner.

CORAM : G. A. SANAP, J.

DATE : DECEMBER 04, 2024.

1. In view of the short point involved in this petition, I have heard Mr. S. U. Bhuyar, learned advocate for the petitioner, finally, at the stage of issuance of notice before admission itself.

2. Learned advocate for the petitioner submits that before commencing the cross-examination of PW1, an application (Exh.92) was made for de-exhibiting the document at Exh.77. He submits that before deciding the application, the accused was directed to conduct the cross-examination of PW1 and as such the learned advocate for the accused conducted the cross-examination. It is submitted that this document (Exh.77) was not touched upon during the cross-examination. He submits that liberty may be granted to the accused to cross-examine PW1 with regard to this document at Exh.77. He further submits that the objection with regard to the proof of the contents of the document and/or execution of the

document, may be kept open for being addressed at the stage of final hearing.

3. In my view, the submission made is fair and reasonable. An opportunity is granted to the accused to cross-examine PW1 to the extent of Exh.77 only. It is made clear that the principle contention of the accused that the document has not been properly proved and therefore, cannot be read in evidence, is kept open.

4. The petition stands disposed of in the aforesaid terms.

(G. A. SANAP, J.)

Diwale