

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 478 OF 2024**

Ganesh Haridas Jadhav

...Applicant

Versus

State Of Maharashtra

...Respondent

HARISH
VITHAL
CHAUDHARI

Mr. Jaydeep Mane for the Applicant.

Ms. P. S. Rane APP for the State .

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by HARISH
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CORAM : SHIVKUMAR DIGE, J.

DATE : 19th NOVEMBER, 2025.

P.C.

1. This revision application is preferred against the order passed below Exhibit-25 by the learned Special Judge, Barshi. By the impugned order the learned Special Judge has rejected the application of the applicant for further cross-examination of the first informant.

2. It is contention of learned counsel for the applicant that the applicant is charged under Section 354, 354A and 506 of the Indian Penal Code, 1860 and under Sections 8, 10 and 12 of Protection of Children from Sexual Offences Act, 2012. Learned counsel further submits that the prosecution has examined the first informant on 20th

September, 2022. He was cross-examined by the learned advocate of the applicant, but the learned advocate for the applicant has not cross-examined the first informant on important aspects nor given any suggestions for denying the prosecution's case. When the applicant came to know this fact, he has changed his advocate and filed application for re cross-examine the first informant, but the learned Special Judge, Barshi has not considered this fact and rejected the application of the applicant which is erroneous, hence, requested to allow the application.

3. It is contention of learned APP that the first informant is cross-examined by the learned advocate of the applicant. To fill up the lacuna, the application was filed application for re cross-examine the first informant. The learned Special Judge has passed well reasoned order, no interference is required in it and requested to reject the application.

4. I have heard both the learned counsel. Perused the impugned order passed by the learned Special Judge.

5. It appears from the cross-examination of the first informant that no suggestion was given for denying the prosecution's case nor he cross-examined on important aspects by the earlier advocate of the applicant. Considering this fact as well as to give fare opportunity to

the applicant, who is accused in the said crime, I pass following order:

ORDER

- I. Application is allowed.
- II. Impugned order passed below Exhibit-25 by the learned Special Judge, Barshi dated 23rd December, 2022 is hereby quashed and set aside.
- III. The applicant is permitted to re cross-examine the first informant subject to payment of Rs. 5,000/- to the first informant.
- IV. Applicant shall finish the cross-examination of the first informant on same day.
6. The Revision Application is disposed off.

(SHIVKUMAR DIGE, J.)