

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1817 OF 2024**

Dilip Subhash Patole	...Applicant
Versus	
Dr Ramji Suraji Adkekar And Anr	...Respondents

HARISH
VITHAL
CHAUDHARI

Mr. Samay Pawar (Through V.C.) for the Applicant.
Mr. S. H. Yadav, APP for the Respondent-State.

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.29
19:20:53 +0530

**CORAM : SHIVKUMAR DIGE, J.
DATE : 23rd SEPTEMBER 2025**

P.C.:

1. This application is preferred by the applicant against the impugned order passed below Exh. 73 by Addl. Chief Judicial Magistrate, Kolhapur. The said order was challenged before the Addl. Sessions Judge, Kolhapur. The learned Sessions Judge, Kolhapur has confirmed the said order and rejected the revision application of the applicant.

2. It is the contention of learned counsel for the applicant that the respondent has cited six witnesses and these witnesses

cited after almost 10 years. These witnesses are irrelevant witnesses and their names were not mentioned in the affidavit-of-evidence. But this fact is not considered by the Courts below. Hence, requested to allow the application.

3. It is the contention of learned APP that the learned Trial Courts have passed well reasoned order. The applicant has right to cross-examine those witnesses. Hence, requested to reject the application.

4. I have heard both learned counsel. Perused the impugned orders.

5. While confirming the order of the Addl. Chief Judicial Magistrate, the learned Sessions Court has observed that no prejudice is going to be caused to the applicant if witnesses are going to be examined as the applicant has opportunity to cross-examine these witnesses. I do not find any infirmity in it. In my view, the applicant can cross-examine the witnesses which are cited by the respondent, if directions are given to the respondents to inform the applicant in advance which witness he is going to be examined and on what point is going to be

examined would suffice. Hence, I pass the following order.

ORDER

- i. Application is partly allowed.
 - ii. Respondent No. 1 shall inform the applicant in advance about the witness going to be examined and what is the relevancy of the said witness with the complaint of the respondent No.1.
6. Criminal application is disposed off.

[SHIVKUMAR DIGE, J.]