



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

CRIMINAL WRIT NO.133 OF 2025

Abdul Rashid S/o Abdul Wahab and another .Vs. State of Maharashtra

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

Court's or Judge's Order

Shri A.S. Dhore, Advocate for petitioners.

Ms Soniya Thakur, A.P.P. for the State.

CORAM : ANIL S. KILOR, J.

DATED : 10/02/2025

1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. This petition takes exception to the order dated 24.09.2024 passed by the learned Judicial Magistrate First Class, Court No.9, Nagpur, issuing witness summons to witness Ram Tuljani.

3. Having gone through the record, I do not find any merit in the submission of the learned counsel for the petitioners that the Court has not recorded the finding as regards the purpose and necessity to examine the said witness, for the reason that, the learned trial Court has recorded that the respondent shall get complete opportunity to establish his case.

4. Furthermore, it is not the case of the petitioners that the respondent does not want to examine the said witness on fact in issue and as the petitioners are having every right to cross examine the witness and further since the petitioners failed to point out what prejudice will cause to them because of allowing the application under Section 311 of the Cr.P.C., I do not want to interfere with the impugned order.

5. Accordingly, the writ petition is **dismissed**.

JUDGE