SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010115592026 **C528/1443/2026** Amit Bhardwaj --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Sandeep Sharma, Advocate for the applicant. 2. Mr. Rakesh Joshi, A.G.A. for the State. 3. The present criminal misc. application has been filed by the applicant with a prayer to quash/set-aside the order dated 17.04.2026 passed by learned ACJM, Rishikesh, District Dehradun in Criminal Case No. 860 of 2020, whereby, the application moved by the applicant under Section 311 Cr.P.C. r/w Section 348 of BNSS has been dismissed. 4. Learned counsel appearing for the applicant submits that by way of an application under Section 311 Cr.P.C., applicant has prayed that learned Trial Court may recall PW1 and PW8 so as to enable him to cross-examine those witnesses. 5. Heard learned counsel for the parties and perused the record. 6. After perusal of the record, it is reflected that examination-in-chief of PW1 was conducted on 03.09.2021 and thereafter it

			continued till 06.09.2021 and on that date, exemption application was moved by the counsel for the applicant seeking time to cross-examine PW1. The said exemption application was allowed and ultimately counsel for the applicant cross-examined PW1. Thereafter, examination-in-chief of PW8 was also conducted on 01.08.2025 and also on 22.09.2025 and thereafter other witnesses were also examined. Statements of the accused were also recorded under Section 313 Cr.P.C. on 28.03.2025 and after that no defence witness was produced. It is also pertinent to mention here that applicant has not engaged any private counsel for his case and legal-aid-counsel was provided to him from the DLSA and now after more than a year when the trial is at the stage of the arguments, applicant has prayed to recall PW1 and PW8 so as to enable him to cross-examine those witnesses. 7. As such, applicant was granted ample opportunity to cross examine PW1 and PW8. Hence, this Court is of the view that the Trial Court concerned has considered & discussed all relevant aspects and thus, the view taken by the learned Magistrate concerned cannot be faulted and this Court does not find any infirmity or illegality in the impugned order and hence does not intend to interfere with the impugned order. 8. Accordingly, the criminal misc. application fails and is hereby dismissed. **(Alok Mahra J.)** 17.11.2026 Ujjwal