

**ORDERS ON APPLICATION FILED UNDER SECTION
311 OF CR.P.C.**

The learned counsel for the complainant has filed present application under Section 311 of Cr.P.C., to recall PW.1 for furnishing document i.e., postal tracking history. Hence, prayed to allow the application.

2. The learned counsel for the accused filed objections to the above application stating that, the application filed by the Accused is not maintainable either in law or on fact it is frivolous and misconceived hence, it is liable to be dismissed in limine. The above application filed by the Complainant is false by suppressing the real fact. With an intention to harass the above accused for one or other reason. Hence all the averments made in the application are false and created. It is further submitted that the in the last date of hearing the above case posted for cross examination of accused. further after cross examination of the accused, the complainant have filed the above application only to drag the matter by giving imaginary reasons. It is further submitted that the complainant counsel have filed an application U/s.311 Cr.P.C by giving one or other reasons and have obtain time and dragging the matter. The Hon'ble Court has already given several opportunities to the Complainant. Hence, the application of the Complainant is highly belated one. Hence the application filed by the Complainant is

liable to dismissed in limine. All the averment made in the Affidavit which are not specifically traversed herein and contrary to this objection are hereby denied as false. Hence, prays to reject the application.

3. Heard both counsel. Perused the materials on record.

4. Satisfied with the grounds made out in the application. For fair and proper adjudication, this Court is of the opinion that, one more opportunity can be given to the complainant. The loss and hardship caused to the accused can be met out by imposing costs. Hence, by considering the facts and circumstances, the application filed by the complainant under section 311 of Cr.P.C is allowed on costs of Rs.200/-.

P.W.1 is recalled for further chief-examination and production of documents to mark as exhibits.

Call on : 14.05.2025.

(Smt.SUSHMA.C.)
V J.M.F.C., Mysuru