

**ORDER ON APPLICATION UNDER SECTION 311
OF Cr.P.C**

The present application is filed on behalf accused seeking permission to re-call PW2 for the limited purpose of cross-examination in the above matter.

2. On the other hand, complainant filed his detailed objection by stating that, the accused has not made out any grounds to allow this application and the present application is filed by the accused when the matter has been posted for statement of accused under section 313 of Cr.P.C only to drag on the proceedings. Hence prays to reject the application.

3. heard both the parties. The learned counsel for accused filed written arguments by stating that though the PW2 has been previously cross-examined, certain crucial points, documents and contradictions which have now come to light require further clarification from the said witness. Hence seeking permission to re-call the PW2. On the other hand learned counsel for complainant addressed his argument by saying that, this application is filed only in order to drag on the proceedings and prays to reject the application.

4. On perusal of application and objection, even though the reason stated by the accused is not satisfactory, in the interest of justice and to avoid

multiplicity of proceedings it is necessary to provide an opportunity to accused to re-call the Pw2 in above case. Hence proceed to pass the following.

ORDER

The application filed by the accused under section 311 is hereby allowed.

The accused is hereby permitted to re-call the PW2.

For appearance of PW2.

Call on 30.05.2025.

Sd/-

**Addl. Civil Judge and JMFC,
Mudigere.**