

Orders on Application Under Section 311 of
Cr.P.C.

This application is filed by the accused Under Section 311 of Cr.P.C to recall PW-3 and 7 for further cross.

2. On the other hand, objection filed by the APP.

3. Heard both side. Perused the records.

4. It is submitted by the accused that, the case is posted for arguments. PW-3 and PW-7 also cross-examined. While preparing the argument it is noticed, some important question were not asked with respect to the incident and Mahazar to this PW-3 and PW-7. Hence, in order to further cross-examination praying to recall PW-3 and PW-7.

5. On the other hand, the objection filed by Learned APP stating that, application is not maintainable. As already they have cross-examined, once again they cannot recall. This application is filed without any reasons and with intention to drag the case. Hence, prays to reject the application.

6. It is to be noted, when case is posted for argument, this application is filed by the accused to recall PW-3 and PW-7. In order to further cross-examination with respect to the incident and Mahazar. On perusal of the prosecution case, it is to be noted, the case of the prosecution is that, CW-1 and CW-2 were on traffic duty, at that time the accused parked his vehicle which effecting the traffic. Hence, in this regard there is a some clash and criminal case came to be registere against accuse. It is to be noted, the accused seeking to recall PW-3 and PW-7 in order to cross with respect to incident and Mahazar. Hence, it si

just and necessary to allow the application. Hence, the court proceed to pass the following:

:ORDER:

**The application filed by the accused under
Section 311 of Cr.P.C. is hereby allowed.**

PW-3 and PW-7 is hereby recalled.

Senior Civil Judge &JMFC
Belur