

**C.C. No. 1752/2023**

**:: ORDER ON APPLICATION FILED  
U/SEC.145(2)OF N.I. Act. ::**

The Accused counsel filed this application to recall PW.1 for cross examination.

**2.** Complainant objection taken as not filed.

**3.** Heard on application.

**4.** The Counsel for Accused filed this application seeking permission to recall PW-1 for cross examination. The present case is filed to try the offence punishable U/Sec., 138 of N.I. Act. The burden is on accused to prove his innocence by leading rebuttal evidence. Hence, I am of the view that one opportunity is to be granted to the accused. The delay in filling application may be compensated by imposing costs. Hence, I proceed to pass the following;

**:: O R D E R ::**

The application filed by the accused counsel U/sec. 145(2) of N.I. Act., is hereby allowed with a condition that Accused shall cross examine PW-1 without seeking adjournments.

**For cross of PW.1.**

**Call on: 09-01-2025.**

Sd/- 23-12-2024

Addl. Senior Civil Judge and JMFC.,  
Haveri.

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