

**ORDERS ON APPLICATION FILED BY
THE COMPLAINANT UNDER SECTION 311
OF Cr.P.C.**

The Counsel for the complainant has filed application under Section 311 of Cr.P.C. and prays for recall the PW-1 to conduct the cross-examination of the PW-1 by the accused.

2. In the application it is stated that on the last date of hearing, the accused has not feeling well. Hence, he unable to attend the court to offer the cross-examination of PW-1. Hence, cross-examination of the PW-1 is necessary. Accordingly, he prays for allow the application.

3. On the other hand, the accused has filed objection to the application and contended that, the application filed by the complainant is not maintainable and there is no sufficient reasons mentioned in the application to allow the said application. Hence, he prays for reject the application.

4. Heard arguments.

5. Perused the materials available on record. It could be seen that, the complainant has filed the complaint under Section 200 of Cr.P.C. the accused has committed an offence punishable under Section 138 of N.I. Act. On the other hand, the accused has appeared before this court and enlarged on bail. The record shows that the PW-1 has not yet been cross-examined by the accused.

Hence, cross-examination of PW-1 is very necessary and also in order to avoid the multiplicity of the proceedings, the complainant has given opportunity to offer the cross-examination to the accused. Hence, the application filed by the complainant is allowed on cost of Rs.300/-.

For cross of PW-1 last chance by:
06.01.2026.

**Sr. Civil Judge and JMFC,
K.R.Nagar.**