

**ORDER**

The complainant filed applications under Sections 311 and 254(2) of Cr P C seeking permission to recall PW 1 for further chief-examination and permission to produce the documents.

In the applications, it is stated that due to oversight and mistake in the present case, some documents were not produced. Now the documents sought to be produced are the certified copies relating to this case and necessary to this case. The complainant under the wrong impression that he had produced original documents at the time of filing the complaint. Hence, seeking permission to produce the documents by condoning the delay. If the applications are allowed, no loss will be caused to the accused. On the other hand, if the applications are not allowed, great loss will be caused to the complainant. Hence, seeking permission to produce the documents and to recall the complainant to adduce further chief-examination by recalling the stage of cross of complainant. Hence, prays to allow the applications.

Per contra, the accused filed objection to the applications wherein it is contended that the application is contrary to law and true facts of the case. The application is not filed bonafide but filed

only to plug the loopholes in the case of the complainant. The documents themselves are not admissible in evidence and even they are not relevant to prove the facts stated in the complaint and the documents sought to be produced are not in relevancy and by producing the documents in the last state will demolish entire case of the accused as brought out in the cross-examination of the complainant. Hence, prays to dismiss the application with costs.

Heard and Perused the materials on record.

According to the complainant, the documents sought to be produced are relevant and necessary for just decision of the case. According to the accused, the documents sought to be produced are not in relevancy to the facts of the case and now in the last stage will demolish the entire case of the accused. Whether the said documents proves or disproves case, cannot be decided. Even if the said documents are exhibited in the evidence, the accused has got opportunity to cross-examine the PW 1. Hence, he will not put to any injustice. Consequently, I proceed to pass the following:-

**ORDER**

**The applications filed by complainant under Section 311 and 254(2) of Cr.P.C. are hereby allowed with cost of Rs.200/-.**

**The Pw-1 is recalled for the purpose of further chief-examination.**

**For further chief of PW1.**

**By: 29.9.2025.**

**Sd/-  
Sr.Civil Judge & JMFC., Ankola**