

ORDER BELOW EXH.28 IN SCC NO. 217/2019

On 17/12/2024 right of cross examination of the accused was forfeited. This application is submitted to overturn the said order. The learned advocate of the accused is ready to conduct cross examination. The complainant has strongly objected this application. Heard both sides. The case was pending for cross examination since 21/09/2023. Despite sufficient opportunity, accused failed to conduct cross examination. Hence, no cross order was passed against accused at Exh. 4 on 17/12/2024. In order to decide dispute on merit cross examination of witness is equally essential. Hence, the application deserves to be allowed. Inconvenience caused to complainant can be compensated by imposing costs on accused. Therefore, in order to compensate delay, in my opinion the costs of Rs.500/- would be just and proper. Hence, the order;

ORDER

1. Application is allowed.
2. The order of no cross dated 17/12/2024 stands set aside subject to costs of Rs.500/- (Five Hundred Only), be paid by the accused to the complainant positively till next date.

Date : 25/11/2025

(K. A. Yadav)
2nd J.M.F.C., Udgir.