

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 1897/1999
(From the judgment and order dt. 23.9.98 in Cr.WJC556/98
of the High Court of Judicature at Patna)

HARIDWAR PANDEY

Petitioner (s)

VERSUS

STATE OF BIHAR

Respondent (s)

(With Appln(s). for exemption from filing O.T. & O.R.)

With

SLP(Crl.)No. 1899/1999,SLP(Crl.)No. 1900/1999,SLP(Crl.)No. 1901/1999,
SLP(Crl.)No. 2919/1999,SLP(Crl.)No. D13956/1999,W.P(Crl.)No. D18775/1999

Date : 24/11/2000 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIK

HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s) Mr. Vijay Panjwani,Adv.

For Respondent (s) Mr. B.B.Singh,Adv.

Dr.Meeraagarwal,Adv.

Mr. R.C. Mishra,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....J.
.SP2

SLP(CRL) No.1897/99: This SLP is against an order
refusing the prayer of the accused to recall four prosecution
witnesses for further cross examination under section 311 of
the Code of Criminal Procedure and they should be examined as
Court witness. The power under section 311 is the discretion
of the Court and in the facts and circumstances of the case,
it cannot be held that the discretion exercised in refusing
is either arbitrary or unjudicious and as such we are not
inclined to interfere with the impugned order. The SLP is
dismissed.

In rest of the matters Mr. Panjwani is directed to
indicate which case relates to which order, as it appears
that the impugned order filed in the case is different than
the relief which is being sought for. Put up after 2 weeks.

.SP1

(Y.P.Dhamija)

(S. Malkani)@

AA

COURT MASTER

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