

Accused absent. EP filed. Allowed.

ORDERS ON APPLICATION FILED BY
ACCUSED UNDER SECTION 311 OF CRPC
DATED 15.03.2025

The learned counsel appearing for accused has filed an application under Section 311 of Cr.P.C to recall PW-1 for cross examination. Further he submits that if the said application is not allowed the accused will suffer irreparable loss and injury and thereby prays to recall PW-1 for cross examination

Per contra the learned counsel appearing for complainant filed his objection and submits that the said application is false, frivolous and is filed only to drag on the proceedings and thereby prays to dismiss the same.

Heard.

In view of the submissions made by the counsels appearing for both the parties, even though sufficient opportunities are given the accused has failed to cross examine PW1. However a final opportunity is given for the accused to rebut the presumption. However no more adjournments will be provided for the accused to cross examine PW1. Hence to avoid multiplicity of the proceedings this Court proceeds to pass the following:-

ORDER

Application filed by the accused under Section 311 of CrPC is hereby allowed.

For cross of PW1 finally R/by :07.04.2025.

JMFC V Court, D.K. Mangaluru

