

R.C.C. No. 398/2002.  
State/Pavanraje.

ORDER BELOW EXH.791

This is an application filed by accused No.7 granting permission to cross-examine the PW 17 on next date inter alia on contention counsel for accused No. 7 informed that the matter was before the Hon'ble High Court. Today he intimated him to keep the next hearing on 25<sup>th</sup> November, 2014 and the cross-examination be deffered.

Ld. Spl.P.P. has strongly objected application as witness is came from Mumbai.

Perused the application. Say filed by Spl.P.P. It is material to note that the witnesses are coming from Mumbai. They had repeatedly came to depose in this case three times. In this case Hon'ble Apex Court has directed to dispose of the matter on or before 31<sup>st</sup> October, 2014. It is material to note that as per the request of accused No.7 documents were also called which is required for the cross-examination. Witness also produced the said document today. The reason stated in the application does not appears to be convincing one. Considering the urgency in the matter application ought to be rejected. Hence I proceed to pass the following order.

**ORDER**

1. Application is rejected.
2. No order as to costs.

Date :- 17/11/2014.

sd/-  
(U.T.Pol)  
Chief Judicial Magistrate,  
Osmanabad.

R.C.C. No. 398/2002.  
State/Pavanraje.

ORDER BELOW EXH.785

This is an application filed by Ld. counsel for accused No.8 granting time for cross-examination of witness present today inter alia on contention that in this case prosecution has produced certain documents which are required to be studied and therefore time be granted for cross-examination of witness.

Ld. Spl.P.P. for the State objected the application on contention that documents which are produced are supplied to the defence by prosecution and therefore reason for adjournment is not convincing and hence prayed to reject it.

Perused the application and say filed by Ld. Spl.P.P. Heard Ld. counsel for accused and Ld. Spl. P.P. for the State.

It is material to note that all the documents produced by the Spl.P.P. are available on the record for the study to the Ld. counsel for the accused. I even direct him to cross-examine the witness after lunch session after study of the documents. Already Hon'ble Apex Court has directed to dispose of the matter on or before 31<sup>st</sup> October, 2014. According to me, the reason stated by the Ld. counsel for the accused No.8 does not appears to be convincing one to grant time for cross-examination of the witness No.17. Hence application is ought to be rejected. Hence I proceed to pass the following order.

**ORDER**

1. Application is rejected.
2. No order as to costs.

Date :- 17/11/2014.

sd/-  
(U.T.Pol)  
Chief Judicial Magistrate,  
Osmanabad.