IN THE COURT OF THE HONBLE FULL-COURT-NAME AT TRIAL-COURT-CITY

Crl.M.P. No /20

IN

C.C. No. /20

BETWEEN:

The State of A.P

Rep By SI of Women Police Station,

Trial-Court-City. …… Complainant/Respondent

And

1. Petitioner-Name-1
2. …

…… Accused/Petitioner

PETITION FILED ON BEHALF OF ACCUSED

U/S 284 R/W 285 OF CR.P.C

Most Respectfully Showeth,

1. It is submitted that the petitioner herein is the accused in the main case in the cause title.
2. It is submitted that charges were framed against the petitioner in the year 2019 vide an Order Dt: xx-yyy-zzzz.
3. It is submitted that the defacto-complainant, who is listed as Listed witness-1(LW-1) of the prosecution, failed to appear before this Hon'ble Court for four years. Since then, despite the police serving summons upon the LW-1, she took the ground of ill health or sickness, as the reason for her non-appearance before this Hon'ble Court on every Court date.
4. It is submitted that after four years, the Defacto-complainant, appeared before this Hon'ble Court, for recording her evidence in chief, as Prosecution Witness-1 (PW-1) and upon taking Oath gave her evidence, and the Cross examination was deferred at request.
5. It is submitted that the case is posted for cross examination of PW-1 today i.e., aa-bbb-cccc, but the PW-1 failed to appear before this Hon'ble Court,

and it is submitted that it is a either a delay tactic or the PW-1 is really sick, the truth of which only the PW-1 knows and needs to be unearthed by this Hon'ble Court.

6. It is submitted that because of this demeanor of the PW-1, the petitioner hereinabove, is subjected to unwarranted inconvenience and expenses beyond their financial capacity.
7. It is submitted that because of the current circumstances justice is getting delayed to the instant petitioner and they are subjected to continued defamation and loss of reputation, as they are being called as criminals by the biased and prejudiced society.

PRAYER

Hence, considering the above facts and circumstances, the petitioners pray to this Hon'ble Court to,

1. Dispense with the attendance of the prosecution witness (PW-1), as prescribed u/s 284(1) of Cr.P.C.
2. Issue a commission for the cross examination of the prosecution witness (PW-1) as prescribed u/s 285(1) of Cr.P.C.
3. Direct the prosecution to pay costs to meet the expenses of the accused, including the pleader' s fees, as prescribed u/s 284(2) of Cr.P.C.
4. Grant any other relief(s) in favor of the Petitioner, which this Hon'ble Court feels just and reasonable, especially in the peculiar set of facts and circumstances of the instant criminal case, in the interest of justice and equity.

Place:

Date:

Counsel for Petitioner Petitioner