

**ORDER ON APPLICATION UNDER SECTION 311  
OF Cr.P.C.**

The present application is filed by learned APP seeking issuance of witness summons to Nagaraju B.R., PSI of Banakal PS by stating that he has conducted part of investigation in the above case and by over sight he has not made as witness in the charge-sheet. The examination of said witness is very much necessary in order to prove the prosecution case and prays to allow the application.

**2.** On the other hand, L/c for accused filed objection by stating that the application is belated one and most of the witnesses area examined in the above case and now the prosecution has filed the application only to drag o the proceedings and prays to rejecting the application.

**3.** heard both the parties.

**4.** As per Section 311 of Cr.P.C. either prosecution or accused can file an application seeking issuance of witness summons to additional witnesses if they finds that the examination of said witnesses is necessary.

**5.** Herein the present case prosecution states that during the examination of the witnesses it comes to the knowledge that Sri. Nagaraju B.R. who had conducted part of the investigation in the above case is not made as witness in the above case and

the examination of said witness is very much necessary in the above case.

**6.** On considering the application and material on record indeed it disclose that the person who conducted part of the investigation in the above case has not made as witness in the above case. Hence in the interest of justice and equity it is necessary to provide an opportunity for the prosecution to proceed in the above case. Accordingly this Court proceeds to pass the following;

**ORDER**

**The application filed by learned APP under section 311 of Cr.P.C. is hereby allowed.**

**Issue witness summons to the witness by name Sri. Nagaraju B.R., PSI of Banakal PS.**

**Call on 21.11.2025.**

Sd/-

**I Addl. Civil Judge and JMFC,  
Mudigere.**