

Special (POCSO)Case No. 27 of 2022 (CIS NO.27 of 2022
CNR NO.WBBB05-000947-2022

Order No.22
17-08-2024

Today is fixed for further evidence on behalf of prosecution.

The Ld. Special PP is present and files hazira.

The sole accused Nasiruddin Mallick @ Masu is present and files hazira.

Ld. Advocate appearing on behalf of the de-facto complainant is also present and files hazira.

No witness is present.

The Ld. Special PP submits before the Court CSW 8, CSW 10, CSW 11 and the CSW 12 are vital witnesses in this case, whose evidence cannot be dispensed with. It is further stated that the CSW 14 and CSW 15 are the two I.O's o this case, who too have to be summoned.

The CSW 8 had accompanied the victim to the hospital as well as to the court, for the purpose of recording of her statement u/s 164 Cr.Pc. The CSW 10 had accompanied the accused to the hospital for his potency test. The CSW 11 and CSW 12 are two medical officers, who had examined the VG and the accused person respectively.

The Ld. Defence counsel submits before the court that he had, on the previous date, filed an application u/s 311 of Cr. Pc praying for recall of the PW 1 and the PW 2, praying for their recall, for the purpose of cross examination. However the Ld. Defence Counsel subsequently does not press the concerned the application dated 19.06.2024. On scrutiny of the case record, it appears that the Ld. Defence Counsel had submitted application u/s 311 Cr.Pc not only on 19.06.2024, but also on 03.02.2024 as well.

The Ld. Defence Counsel submits before the court that he would not press the application dated 03.02.2024 as well and would submit a fresh application on the subject matters, later on this day.

Subsequently, the Ld. Defence Counsel endorses ' Not Pressed' on both applications and files a fresh application u/s 311 Cr.Pc after serving copy thereof upon the prosecution and upon the Ld. Counsel for the de-facto complainant.

Perused the same as well as other material on record.

Heard the Ld. Defence Counsel, the Ld. Special PP and the Ld. Counsel for the De-facto complainant.

The concerned application specially mentions two questions each for the PW 1 and PW 2. Both questions are in the nature of denials. The application u/s 311 Cr.Pc filed on behalf of the defence is formal in nature and hence allowed.

Fix 22.11.2024 for evidence CSW 8 and CSW 10.

To date for cross examination of PW 1 and PW 2 on recall.

Fix 23.11.2024 for evidence CSW 11 and CSW 12

Fix 24.11.2024 for evidence CSW 14 and CSW 15.

(Dictated & Corrected by me)

Additional Sessions Judge,
Rampurhat, Birbhum
J.O Code no. WB00885.

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