

NDPS 40 of 2022
CNR WBCS01-001142-2022

Order No. 40
18.11.2023

Today is fixed for appearance and production of the accused persons and further evidence of PW-2.

Ld. Special Public Prosecutor is present along with PW-2 namely Mr. Ashoke Ghosh.

Accused Dilip Tiwari is produced from J/C and accused Raju Ram is present by filing hazira. Both the accused persons are being represented by their Ld. Lawyers.

Mr. Ashoke Ghosh, PW-2 is examined in part and his further examine-in-chief is deferred on the prayer of the Ld. Special Public Prosecutor.

Another application is filed by Ld. Special Public Prosecutor informing, *inter-alia*, that in the event of recording the evidence of PW-2 on last occasion (paragraph no.11), the time has been recorded as 17:15 am instead of 7:15 am. Accordingly, she prays for an order for correction of such typographical mistake.

Ld. Lawyer appearing for the accused persons, in his usual, fairness, has admitted the fact that the error is merely a typographical one.

Despite having such dulcet submission from the end of Ld. Defence Counsel, this Court has traversed through the evidence of PW-2, recorded on last occasion, and found that the time recorded in paragraph no.11 of examination in chief of PW-2 is 17:15 am, which is not only an absurd one, but also it is incomparable with other parts of the evidence.

Having heard both the Ld. Lawyers, this Court finds ground to respond to the prayer of the Ld. Special Public Prosecutor in the affirmative.

Let the time mentioned in paragraph no.11 of examination-in-chief of PW-2 be corrected as 7:15 am, instead of 17:15 am. Certified copy, if any, be corrected accordingly.

Fixing **12.12.2023** for production + appearance + further evidence of PW-2.

Dictated and corrected by me

Judge Bench-I, NDPS Act,
City Sessions Court, Calcutta.

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JO Code No.WB00883