

	S.C.C. No. 375/2018
	P.S. Talegaon Dashasar Vs Laxmibai Marbade
	CNR No. MHAM130009932018

ORDER BELOW EXH. 09
(Passed on 01.07.2025)

The present application is filed by the prosecution under Section 311 of Criminal Procedure code for issuing summons to the informant Suchita Khangar.

02. Perused the application and record of the case. The Ld. Advocate of the accused failed to file say inspite of sufficient opportunity. Heard the Ld. App for the state.

03. It is submitted in the application by the prosecution that the name of the informant Suchita Khangar is not mentioned in the witness list. The said witness is a material witness in the present case. Therefore, in the interest of justice the prosecution is praying to issue witness summons to the informant.

04. Perusal of FIR shows that the report has been lodged by the informant Suchita Khangar against the accused. However, witness list shows that her name is not mentioned as a witness in the case. As she is a material witness in the present case, this court is of the opinion that her testimony is necessary for the prosecution. It is important to mention here that Section 311 of Cr.P.C. empowers the court at any stage of trial to summon any

person as a witness, though not summoned as a witness, if his evidence appears to be essential to just decision of the case. In view of this discussion, I am inclined to allow the present application. Hence, the following order is passed :

ORDER

1. The application is allowed
2. Issue summons to the informant Suchita Khangar.

Sd/-

Date : 01/07/2025
Place : Dhamangaon Rly.

(Lushnali L. Tamgadge)
JMFC, (Court No,2)
Dhamangaon Rly.