

Sessions Case No. 38 of 2013

Order no. 116

Dated : 21/05/2025

Today is fixed for judgment.

Both the accused persons are present by filing hazira.

It appears from the materials on case record that prosecution has not exhibited the agreement dated 11.07.2009 though some witnesses have proved their signatures on it. The witness P.W15 has clearly stated in examination chief that he can identify the seized articles of the seizure list dated 21.11.2009. The seized mobile phone and production of the articles of the seizure list dated 30.11.2009 was not produced in this case at the time of trial of the case or at the time of examination of witnesses. The examination of the witnesses of the agreement and production of the articles of the seizure list dated 30.11.2009 & mobile phone seized vide dated 21.11.2009 is very much necessary for just decision of this case. Accordingly, the Court is invoking the power of section 311 of Cr.P.C. for examination of the above witnesses for just decision of this case.

Prosecution is to take necessary step to bring the witnesses of the agreement dated 11.07.2009 and production of the of the articles of the seizure list dated 30.11.2009 & mobile phone seized vide dated 21.11.2009 and witnesses.

Fix 03.06.2025 for evidence.

D & C by me

Addl. Dist. & Sess. Judge  
Fast Track Court  
Dubrajpur Birbhum

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Fast Track Court  
Dubrajpur Birbhum