

**Sessions Case No. 31 of 2023**  
CNR No. WBCS01-000484 of 2023  
Present: Smt. Shrutirupa Ghosh (Majee)  
Ld. Additional District & Sessions Judge  
2<sup>nd</sup> Fast Track Court, Bichar Bhawan, Calcutta

Order No. 37 dated 29. 04. 2025 :-

Today is fixed for production of the accused persons and evidence.

Four accused persons are produced from Judicial Custody and placed on dock.

Ld. PPs are present by filing respective hazira.

Ld. Advocate for the accused persons are present.

One witness, namely, Dr. Kinkar Kumar Bhowmick is present. He is examined and cross-examined in full as PW-15 and discharged. During his evidence two documents marked as exhibits.

One application is filed on behalf of State under Section 311 CrPC. Copy served. Objection raised.

Record is taken up for hearing petition under Section 311 CrPC.

Ld. PP on behalf of State filed the application stating that the IO of the case has sent medico-legal exhibits for examination to the FSL prior to submission of charge-sheet but the IO has received the examination report of FSL after charge-sheet was submitted in connection with the present case. The names of the persons who prepared the reports were not mentioned in the charge-sheet as well as the names of the examiners namely, Dr. Babul Bandyopadhyay, Dr. Chitrakshya Sarkar, Harendra Nath Singh and Dr. Sandip Ghosh were not mentioned in the list of witnesses as prosecution witnesses and these aforesaid witnesses are required to be examined in connection with the above case. Ld. PP has thus filed the present application praying for summoning the above mentioned witnesses under Section 311 CrPC as prosecution witness.

Ld. Advocate on behalf of accused persons raised objection.

Upon perusal of the petition, considering the submission of both parties and perusing the materials on record, I find that the FSL reports was received after filing of charge-sheet and as such there was no scope for mentioning the names of the above named examiners as witnesses in the prosecution case. Hence, I considered the instant application ought to be allowed for enabling the prosecution to prove its case.

In such circumstances, the application under Section 311 CrPC is allowed.

Prosecution is permitted to examine Dr. Babul Bandyopadhyay, Dr. Chitrakshya Sarkar, Harendra Nath Singh and Dr. Sandip Ghosh as prosecution witnesses of this case.

Fixing: **06. 05. 2025** for production of accused persons and further evidence.

Prosecution is directed to bring witness along with alamats, if any, on the date fixed, positively.

Accused persons are remanded to judicial custody till date.

Dictated & Corrected by me.

Addl. Dist. & Sessions Judge  
(WB-00821)  
2nd Fast Track Court, Calcutta  
29. 04. 2025

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(WB-00821)  
2<sup>nd</sup> Fast Track Court, Calcutta  
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