

**Spl GR 5/21**  
(Reg. No. 5/21)

Order No. 31

Dated: 06.02.2024.

The accused no. 1 is present by hazira.

The accused no. 2 and 3 are represented u/s 317 of Cr.P.C.

The ld Special PP is present with witnesses Astefan Toppo and Nilima Toppo.

They are accordingly, examined and cross examined in full and discharged as PW2 and 3.

The written complaint is marked as Ext.P1.

At this stage the ld Special PP files a petition u/s 311 of Cr.P.C. thereby stating that the name of the person stated therein are the necessary witnesses though they have not been cited as witnesses in the charge sheet. Hence, the petition for issuing summons upon them as witnesses.

The ld lawyer for the defence put no objection.

It appears that the proposed witnesses are though examined by the IO but, they have not been cited as witnesses in the case. It appears that their evidence is necessary for just decision of the case.

Hence, the instant petition u/s 311 of Cr.P.C. filed by the prosecution is considered and allowed.

To **18.03.24** for evidence of witness no. 1 and 2 as per list of prosecution.

**19.03.24** for evidence of witness no. 3 and 4 as per list of prosecution.

**20.03.24** for evidence of witness no. 5 and 6 as per list of prosecution.

The prosecution to take step accordingly.

D/C by me,

Sd/-

Judge, Spl. Court,  
Under SC & ST (POA) Act,Dlg

Sd/-  
Judge, Special Court,  
under SC & ST (POA) Act,  
Darjeeling.