

Spl GR- 08 of 2024

Reg. No. 08 of 2024

Present: Sri Madan Mohan Mishra

JO Code : WB00727

Order no. 28 dated 19.07.2025

Accused on bail Sunil Tamang is present.

Accused on bail Bikash Sharma is absent by filing application.

Accused has filed zerox copies of one agreement dated 15.12.2024 by way of a firisti.

Let it be kept with the record.

It is submitted by learned advocate representing accused that the subject matter of the civil dispute between the parties has been amicably settled and an agreement to the effect has been executed between the parties on 15.12.2024.

One application has been submitted by the Investigating Officer of the case praying for supplying him the specimen writing and signature of de facto complainant Mamta Lama.

The statement of de-facto complainant victim of the offence has been recorded u/s 164 CrPC at the instance of the IO of the case in terms of order passed by this Court on 16.05.2024 and a copy of the same has been supplied to the IO of the case. IO has made application on 23.06.2025 for recording the statement of de-facto complainant u/s 164 CrPC for second time and the prayer made by him has been fixed for consideration this day in his presence. The IO of the case instead of appearing before this Court for consideration of his application praying for recording the statement of de-facto complainant submitted on 23.06.2025, filed another application praying for passing order for supplying the specimen signature and hand writing of de-facto complainant victim Mamta Lama.

The present has been started on the basis of the written complaint of de-facto complainant victim of the offence Mamta Lama on 08.03.2024. Rule 7 of the SC and ST (Prevention of Atrocities), Rules 1995 provides for completion of investigation within sixty days. The IO of the case first cause the recording of the statement of the de-facto complainant victim on 16.05.2024 and thereafter submitted application for causing recording of statement of de-facto complainant victim on 23.06.2025 and instead of pressing the application submitted on 23.06.2025 has filed another application today praying for supplying the specimen signature and hand writing of de-facto complainant victim Mamta Lama.

The IO of the case is directed to appear in person before this Court on 19.08.2025 to explain how his two prayers are essential in the interest of investigation and why the investigation has not been completed within the stipulated period of two months.

To 19.08.2025 for IO's report.

Let a copy of this order be sent to the Investigating Officer of the case, SDPO, Mirik for his information.

Dictated & Corrected by me

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

Judge, Special Court,
under SC & ST (POA)Act,
Darjeeling.
(In Charge)