

Spl (C) 10 of 2023 ( Reg. No. 10 of 2023)  
CNR No. WBDJ 010003212023  
State Vs Sony Hung Subba  
Lodhama P.S Case No. 02/2023 dated 19.04.2023

**Order No. 10 Dated: 12.07.2024**

Today is fixed for appearance of accused and evidence.

Ld. Lawyer for the accused is present.

Sole accused Sony Hung Subba is absent by a petition under Section 317 of Cr.P.C.

Ld. Counsel for the accused submits that the accused could not appear before this Court on the ground stated in the petition. Ld. Lawyer for the accused prays for dispense with personal attendance of the accused and to permit him to represent the accused during recording of the evidence u/s 317 Cr.P.C in absence of accused. Ld. Lawyer further submits that he will not challenge the identity of the accused person during trial.

Heard both sides.

Considered. Prayer is allowed.

Ld. Counsel for the accused is permitted to represent the accused person u/s 317 of Cr.P.C.

Ld. Special P.P is present and files hazira of victim girl and mother of victim girl.

Victim girl and mother of victim girl are examined in chief and cross examined in full as PW-2 and PW-3 respectively and discharged.

Necessary certificate regarding recording of evidence along with signature of VG and mother of victim girl be kept in a sealed envelope with the record.

Three signatures of PW-2 on the certificate issued by Ld. JM, Darjeeling for recording statement of witness u/s 164 of Cr.P.C are marked as Exbt. P-1, Exbt. P-1/1 and Exbt. P-1/2.

Written complaint signed by PW-3 is Marked as Exbt. P-2, Signature of PW-3 on seizure list dated 19.04.2023 as Exbt. P-3/1, birth certificate of VG as Exbt. P-4,

Signature of PW-3 on seizure list dated 21.04.2023 is marked as Exbt. P-5/1.

Signatures of PW-3 on medical report and medico-legal examination report of my daughter is marked as Exbt. P-6/1 and Exbt. P-7/1, Statement of PW-3 recorded u/s 164 of Cr.P.C is marked as Exbt. P-8. Signatures of PW-3 on her statement are marked as Exbt. P-8/1, Exbt. P-8/2 and Exbt. P-8/3.

To date (**15.07.2024**) for appearance of accused and evidence as per schedule.

Sd/-

Special Judge,  
Under POCSO Act, 2012  
Darjeeling.